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ANNALS OF IOWA

VOL. IX. 1871 ANNALS OF IOWA

THE EARLY HISTORY OF IOWA

9

1871

THE STATE AGRICULTURAL SOCIETY

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This paper was published in both French and English, once at each number, and was conducted by the editors with much ability.

The first number of this paper was published in May, 1850.

One of the leading objects of the editors was to excite an emulation in the vegetable and fruit raising business.

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A few counties had organized societies, and were in attempt to hold fairs.

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ANNALS OF IOWA.

VOL. IX. IOWA CITY, JANUARY, 1871. No. 1.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 309.)

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This paper was published in book form, of sixteen pages to each number, and was conducted by the editors with much ability.

The first number of this paper was published in May, 1853.

One of the leading objects of the editors seemed to be to excite an emulation in the organizing of Agricultural Societies.

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every County Agricultural Society in the State was authorized to draw from the State Treasury a sum equal to the amount raised by the society; provided such sum did not exceed fifty dollars a year.

This act elicited some interest, and a few counties availed themselves of the benefit of the law; but by an act passed in January, 1853, this law was amended, so that each county could draw from the State Treasury two hundred dollars.

This law gave a new impetus to agricultural interests; and most of the counties in the State, which had not done it before, immediately proceeded to organize, and put into successful operation Agricultural Societies.

Among the counties which first commenced to hold these exhibitions was Jefferson county; and by the energy of her citizens their efforts in this direction had attracted some attention abroad.

In the first number of the *Iowa Farmer and Horticulturist*, the editors of that paper, in speaking of Agricultural Societies, said: "In a year or two we hope to see an Agricultural Fair at some central point like Fairfield for the whole of Southern Iowa."

This notice seemed to meet with favor, and in the next number they proposed "that there be a meeting at Fairfield, Jefferson county, of all who felt interested in the subject, for the purpose of forming an Agricultural Society, and that this meeting be held at the time of the next county fair."

No one seemed to take any particular interest in this matter, and there was no meeting held as proposed.

But the last business done at the county fair of Jefferson county in 1853, on "motion of C. W. Stagle, it was resolved; that the officers of the society be instructed to take immediate steps to effect the organization of a State Agricultural Society, and use their influence to have said society hold its first exhibition at Fairfield."

At a meeting of the Directors of the Society on the 12th of November, 1853, the first business done "on motion of C.

J. W. Frazier, of Henry county, who in the afternoon made their report, which was unanimously adopted.*

*The following is the Constitution and By-Laws:

The style of this Society shall be "The Iowa State Agricultural Society." Its objects shall be the promotion of Agriculture, Horticulture, Manufactures, Mechanics and Household Arts.

SEC. 1. The Society shall consist of such citizens of the State as shall signify by writing or otherwise, their wishes to become members, and shall pay, on subscribing, not less than one dollar, and one dollar annually thereafter, which fee shall be paid on or before the 1st day of June, also of honorary and corresponding members.

SEC. 2. The officers shall consist of a President, Vice-President, and three Directors from each County Society, who together shall constitute a Board of Control for the general management of the business of the Society.

SEC. 3. The Recording Secretary shall keep the minutes of the Society. The Corresponding Secretary shall carry on the correspondence with other Societies, with individuals and with the general committees in the furtherance of the objects of the Society.

SEC. 4. The Treasurer shall keep the funds of the Society, and disburse them on the order of the President or the Board of Control, countersigned by the Recording Secretary, and shall make their report of receipts and expenditures at the annual meeting. He shall give bond in the penal sum of \$3000 for the faithful performance of his duties and the payment of all moneys in his hands.

SEC. 5. The Board of Control shall take charge of, and distribute and preserve all seeds, books, medals, &c., which may be transmitted to the Society, and shall have also the charge of all communications designed or calculated for publication, and so far as they may deem expedient, shall collect, arrange, and publish the same in such manner as they may deem best calculated to promote the object of this Society.

SEC. 6. The Managers are charged with the interests of the Society, in the counties in which they shall respectively reside, and will constitute a medium of communication between the Board of Control and the remote members of the Society.

SEC. 7. There shall be a meeting of the Society at the place for the Fair on the 25th day of October, 1854, and at such time thereafter as the Board of Control may direct, at which time all the officers shall be elected by a majority of the members present, by ballot. Extra meetings may be convened by a call of the President at one month's notice. Nine members shall be a quorum for the transaction of business.

SEC. 8. This constitution may be amended by a vote of two-thirds of the members attending any annual meeting after two months' notice of such proposed amendment being given through the public papers of the State.

BY-LAWS.

ART. 1. The President shall preside at all meetings of the Board of Control of the Society. He shall deliver all premiums and diplomas for articles exhibited at the Fair of the Society, to persons entitled thereto, and when the same are to be paid in money he shall draw orders there-

The Constitution and By-Laws, though not as perfect as they might have been, answered very well the purpose for which they were designed.

They provided, that the society should be managed by a President, Vice-President and three Directors from each county society in the State, who should be styled a Board of Control.

Thomas W. Clagett, of Lee county, was elected President.

Clagett was a native of Maryland, a man of wealth, and a lawyer by profession; but took great interest in agricultural pursuits, and became quite noted in Iowa as a man who took an interest in public affairs, and also as a newspaper editor.

D. P. Inskeep, of Wapello county, was elected Vice-President.

Inskeep had recently moved to Iowa from Ohio, was a man of capital, and extensively engaged in farming, and had given special attention to the raising of fine stock, and took great interest in any thing pertaining to agricultural pursuits.

J. M. Shaffer, of Jefferson county, was elected Secretary.

Shaffer was then quite a young man, a native of Pennsylvania, came to Fairfield, fresh from college, and commenced

for on the Treasurer. He shall also perform all other duties usually pertaining to such office.

ART. 2. The Vice-President shall, in case of the death, sickness, absence or resignation of the President, perform all the duties of the President till the next annual election.

ART. 3. All members of the Society, who have paid their annual fee shall be admitted free to all exhibitions of the Society, and the Board of Control shall each year fix the prices of admission to the exhibition, of all persons not members.

ART. 4. Competitors for crops shall state in writing the character of the ground, the time and method of preparing it, the time of planting or sowing, the mode of cultivation, the kind of seed, the time of reaping or gathering it, with the number of bushels to the acre, which must be certified to by at least two disinterested persons, or be duly authenticated by oath of the competitor himself, and no crop shall come into competition unless these regulations be complied with.

ART. 5. No animal or article on exhibition, which has taken two premiums at previous Fairs of the Society, in the same class, will be allowed to be entered.

ART. 6. Members neglecting to pay their annual fee till the day of exhibition will be charged twenty-five cents in addition to it.

the practice of medicine. He had a strong inclination for natural history, and had devoted much time to the collection of the various kinds of snakes and birds that were found in Iowa, and preserving them in their life-like appearance.

He was for many years connected with the State Agricultural Society, and collected and published many valuable statistics relating to the State of Iowa.

C. W. Slagle, of Jefferson county, was elected Corresponding Secretary.

Slagle was a native of Pennsylvania, a lawyer by profession, but a man who took much interest in public matters.

W. B. Chamberlin, of Des Moines county, was elected Treasurer.

Chamberlin was a native of the New England States, a celebrated physician, and by his energy and industry accumulated much wealth, and took great interest in horticulture and literary pursuits.

Besides these officers there were thirty-nine directors elected; three from each county in which societies had been formed.*

To further aid in making the society a success, George W. McCleary, George S. Hampton, of Iowa City; David Rorer, of Burlington; Ralph P. Lowe, of Keokuk, and George Gillaspay, of Ottumwa, were appointed a committee "to memorialize the General Assembly of the State of Iowa, for the purpose of

*The Directors were as follows:

Lee county.—Arthur Bridgman, Reuben Brackett and Josiah Hinkle.
Van Buren.—Timothy Day, Dr. Elbert and William Campbell.
Henry.—Thomas Siviter, Amos Lapham and J. W. Frazier.
Jefferson.—P. L. Huyett, John Andrews and B. B. Tuttle.
Wapello.—Richard Warden, Gen'l Remsey and Uriah Briggs.
Mahaska.—Wm. McKinley, Sr., John White and M. T. Williams.
Polk.—Dr. Brooks, Thomas Mitchell and Wm. McKay.
Des Moines.—J. F. Tallant, Henry Avery and C. C. Nealley.
Louisa.—George Key, Francis Springer and Joshua Marshall.
Muscatine.—J. H. Wallace, James Weed and John A. Parvin.
Dubuque.—Hon. W. Y. Lovell, O. McLaney and L. Langworthy.
Johnson.—R. H. Sylvester, Hon. Le Grand Byington and C. Sanders.
Scott.—J. A. Buchard, J. Thorington and L. Summers.

a bill rendering pecuniary aid to the furtherance of a permanent establishment of a State Agricultural Society."

Any citizen of Iowa could become a member of this society by signifying in "writing or otherwise their wish to become a member, and pay on subscribing not less than one dollar."

The first person who signified his wish to become a member, and paid his dollar was Charles Negus, of Jefferson county.

Clagett, immediately upon being notified of his election, took a deep interest in the society, and issued an address to the farmers of Iowa, setting forth the importance of the organization, and the necessity of raising money to successfully put it into operation, and as an inducement to others, he proposed "to give fifty dollars in aid of the first Fair, to be expended in the following manner: Twenty-five dollars for the best five ears of Indian corn in the State; fifteen dollars for the second best, and ten dollars for the third best."

On the 6th of June, 1854, the Board of Officers of the Iowa State Agricultural Society held their first meeting at Fairfield, and "adopted a premium list, and made the necessary preparations for holding a State Fair.

For the first State Fair the Legislature made no appropriation, and the society was dependent on its own resources.

And for want of funds the premiums offered were small, and for some things which other State societies had offered premiums there was not any thing offered.

And among the causes of dissatisfaction in this respect, a correspondent to the *Iowa Farmer*, who signed her name Laura, complained that there was no premium offered for female equestrians.

To this complaint Clagett replied that his "gallantry would not permit this complaint to go unconsidered," and at his own expense he offered "a fine gold watch to the boldest and most graceful female equestrian who would enter for the prize."

For the fair grounds, about five acres were inclosed with a rail fence, made by setting two rails together a few inches apart, perpendicular in the ground at intervals of about nine

feet from each other, and fastened together at the top, between which other rails were laid, one upon another, till they made a fence about eight feet high.

Within the inclosure a handsomely graded circular track, some thirty feet wide, and about a fifth of a mile around, was prepared for the accommodation of the equestrians; around which was stretched a rope.

Stables for horses and cattle, and pens for hogs and sheep were made like the fence—with rails.

A display room, committee room, and a stand for the judges were prepared with rough boards, and covered with canvass.

The effort to organize a State Agricultural Society met with better success than the warmest friends of the enterprise had expected.

All parts of the State were represented, and it was estimated that ten thousand persons attended the exhibition.

Jesse C. Ware acted as Chief Marshal, who, with several assistants, caused every thing to be conducted systematically, so that the best of order prevailed; and it was a noted fact that during the three days' exhibition there was not an intoxicated man seen in town.

Ware, was a physician by profession, one of the early settlers of Iowa, and took great interest in agricultural fairs.

There were some things which attracted much attention. Among these was a cheese, which weighed three hundred and sixty pounds.

This cheese was made on the fourth of July, at Denmark, in Lee county, by a large number of the farmers contributing their milk for this purpose.

At the election previous to the Fair there was a change in the political policy of the State; and James W. Grimes had been elected Governor; and in token of respect for his political success, his friends purchased this mammoth cheese, and made him a present of it.

J. P. McKinney, from Dubuque, had on exhibition a large number of neatly executed daguerreotype pictures, which

attracted the attention of large numbers of spectators.

Mr. Moore, of Ft. Des Moines, had a large variety of stuffed birds, preserved in such a way that they presented a life-like appearance, and the only thing that admonished the observer that they were not actually alive, was that they did not move.

Dr. J. M. Shaffer's museum of snakes, lizards, toads, &c., attracted the attention of every body, there being upwards of a hundred of them, which he had preserved in spirits, so that they appeared natural, and it contained a specimen of every variety of snakes found in the west.

G. O. Dixon, of Keokuk, delivered an eloquent address, giving much valuable information, which was listened to with great attention.

But the equestrian feats of the ladies attracted the greatest interest of any thing at the Fair.

For the fine gold watch offered by Clagett there were ten competitors.

The committee to conduct this contest and make the award consisted of some of the most prominent persons in the State.

They were James M. Morgan, (Chairman), of Des Moines county; Judge R. P. Lowe, of Lee; Col. Thomas H. Benton, of Johnson; Col. H. H. Trimble, of Davis; Mrs. Huyett, of Jefferson; Miss Albertson, of Lee, and Miss Inskeep, of Wapello.

The ladies were mounted on fine horses, dressed in the most splendid style, each attended by a cavalier, and their first appearance on the fair grounds seemed to call forth the admiration of every body present. The committee directed, in order to test their skill, that each lady, accompanied by her cavalier, should in a gentle gait ride once around the circle, when the cavalier was to retire into the center, and then each lady could ride four times around the track at any speed she might choose.

After receiving their instructions the riding commenced. Miss Minton was the first on the list.

Miss Minton, of Van Buren county, was "a fair rider, but

unfortunately mounted; her horse rough and somewhat unmanagable."

The next competitor was Miss Eliza Jane Hodges, of Iowa City, and with her appearance a deep and enthusiastic interest commenced, and she seems to be the lioness of the occasion. She was a poor young girl, only about fourteen years old, and on her way to the Fair the horse she intended to ride died, which created a sympathy in her behalf.

Having lost the horse she was accustomed to ride, she was furnished with a fine looking, spirited animal, which had been kept as a race horse.

On it coming her turn to ride, she started off a short distance ahead of her cavalier. To overtake her he started his horse in a lope, and when he came by her side the horse she was riding, doubtless thinking he was to run a race, started off at his swiftest speed.

At this the entire assembly were held in awful suspense. At first a breathless silence prevailed, then here and there were heard a frightful scream, expecting every moment to see her dashed upon the ground and instantly killed.

But she showed herself suitable for the emergency. She kept her horse in the track, and after the first round she brought him down to a gentle trot; she then applied the whip till he was at his fastest speed, "which was fearfully swift" at the completion of the fourth round, and still at a full and fearful speed, "she wheeled gracefully from the track, and was greeted with an earthquake of cheers, as she brought her bounding animal to a graceful halt in front of the committee stand." Miss Hodges' example stimulated the others to daring feats, and the greatest enthusiasm prevailed through the whole contest.

Miss Turner, of Lee county, was "an easy, self-possessed and most thorough rider. She was finely mounted, showed consummate skill in the management of her horse, striking any gait at pleasure. The first round set every one to thinking and admiring, and each succeeding one only added to the interest which its predecessor had excited.

"Her elegant form, fine face and soft blue eyes also rather served to lighten the effect than otherwise."

Mrs. Parks, of Lee county, was "a handsome rider, full of courage, and well accomplished in the management of the horse and whip."

Mrs. Eckcart, of Jefferson county, was a "splendidly appearing lady, and a capital rider, but unfortunately her horse, though a fine one, was not gaited for such an occasion."

Mrs. Green, of Lee county, was "a magnificent rider, spirited, confident and graceful, but badly mounted."

Miss Pope, of Henry county, was "a fine young lady, full of life, full of spirit, full of fun, full of ambition, and naturally a fearless and first-rate rider. But she too had the misfortune to pick up a most malicious horse."

Miss Porter, of Henry county, was "a lovely young Miss of fifteen, a charming little equestrian, tastefully arrayed and beautifully mounted."

"Her personal appearance, the exceeding beauty of her palfrey, the child-like naturalness and yet womanly grace which characterized her performance, called forth a general applause and commendation."

"Miss H. Ball, of Jefferson county, was "a fine rider, self possessed, skilled and perfectly at home in the management of the rein."

Miss C. Ball, of Jefferson county, was "an excellent rider; entitled to rank as number one any where. Her position was perfectly natural and extremely graceful, and her manner modest and fearless."

The interest taken in the ladies' riding match was such that the committee was requested to withhold their decision, and require the competitors to again appear on the grounds and make an exhibition of their skill the next day.

At the appointed hour the grounds around the track were again crowded. Every body in town, that possibly could, was there, and the performances of the ladies, and particularly those of Miss Hodges, created more interest than on the previous day.

At the close of the contest Judge Lowe addressed the ladies, highly complimenting all of them for their exploits; when the committee commenced canvassing the claims of the fair competitors, and upon the first ballot the prize was awarded to Miss Belle Turner.

Miss Turner was called for; she, accompanied by her cavalier, George B. Wilson, came forward to the stand, when the watch was presented to her.

She "received the gift with a sweet smile, and a graceful inclination of the body, at the same time modestly expressing a doubt as to her merits; in reply to which she was informed that the committee had decided that question for her."

The author of this sketch was present, and witnessed the whole of this equestrian contest, and thought the award was properly made, but it did not meet with the approbation of the great mass of the spectators.

The popular sentiment was strongly in favor of Miss Hodges, and "spontaneously as if by concert, men sprung up in all quarters of the field," and in a few minutes there was raised one hundred and sixty-five dollars in money for her benefit, and six months tuition and board provided for her at school. And this closed the exhibition of the first State Fair in Iowa.

The success of the first State Fair was such that it created an interest in its behalf throughout the State, and the Legislature in January, 1855, passed an act authorizing the Society "to draw from the State Treasury in aid of its operations one thousand dollars per year."

This assistance, with the interest taken in it by the people, caused the State Agricultural Society to assume such a position that it was soon regarded as one of the established institutions of the State.

(To be Continued.)

HISTORY OF MARSHALL COUNTY.

BY NETTIE SANFORD, MARSHALLTOWN, IOWA.

(Continued from page 375.)

Hon. Wells S. Rice, formerly from Sandusky, Ohio, now the present Senator from this District to the Iowa Legislature, was one of the earliest settlers of Marshall County, and being identified with many of the enterprises connected with its prosperity, the historian must occasionally turn biographer through these pages. Perhaps there are few men in the State that have the pertinacity and untiring energies of Rice, Anson and Hon. G. M. Woodbury, who came a little later in 1854 from Peoria, Illinois. These three men, appreciating the natural advantages of Marshalltown over Marietta for a town, were determined to overthrow their rival, and make Marietta give up the county seat. For seven years the standing bone of contention, it was the occasion of quarrels all over the county—swapping, bargaining positions, and every other chicanery was resorted to, until in 1860 victory crowned their efforts and their work was done.

Marietta, despoiled and dismantled, her Court House gone, stores removed, she only fills a place in history, instead of being the center of trade and enterprise, like her rival. Emigration came in freely in 1853—4 all over the beautiful lands of the county, especially near the forests.

Friends with their sweet Quaker wives, tow-headed children from Indiana with their sickly mothers from the Wabash still shaking with the terrible "ager;" emigrants from Ohio and New York, with a sprinkling of Yankees, Dutch, etc. Land was cheap, the currency was gold and silver, and if a farmer raised anything he could sell it at a high price and improve his surroundings.

The year 1853 was a good one for farmers,—the great drawback to settlers was the distance to market for building

material. Pine lumber had to be hauled from the Mississippi, for the one saw mill could not supply the settlers even with Iowa lumber from the native forests. Jack Braddy built a house from poles about as large as a stove pipe, "covering the roof with slough grass, with the bare earth for a floor, and a dry goods box for a pantry. A flour barrel held the library and wardrobe of the family, with the exception of their every day apparel. It used to be said that clothing would not wear in the Iowa winds as it did in the East. And no wonder. The drapery blowing about catching on the hazel brush and prairie weeds, and the supply of dry goods rather scant, it was not strange that careful mothers worried over *these* annoyances, besides the black mud which grimed and soiled everything about the home.

Many a poor emigrant mother, heart-broken and discouraged, laid her brown hands across the tired breast to rest under the black Iowa soil, which had finally gained the victory in her everyday conflicts with it. Mrs. Dr. Whealen, formerly of Marietta, tells us that she managed to entertain twenty-two persons in her little cabin one night. The room was about fifteen feet square, the cradle, chairs and table were set out of doors, and down upon the puncheon floors were placed the beds and quilts for the occupants. An over-coat, a dress or two, served as a partition to screen the girl sleepers from the rough emigrants that had come in that day to find homes.

Some of these girls now sleep in frescoed chambers, with rich upholstery, honored matrons receiving guests from all parts of the world in luxury and comfort. What a contrast from the early days!

Dr. Whealen, one of the best physicians in the vicinity, was also a cabinet maker, so that he made the furniture for his little cabin. Three legged stools, pole bedsteads, a shoe box metamorphosed into a cradle, rough cotton-wood shelves and brackets, are among the monuments of his genius in that line.

Dr. Whealen and Dr. Nixon, of Marietta, were the first

physicians in the county. And such stories of exposure in crossing streams without bridges in the wild, stormy nights, of the snowy prairies where men were liable to be lost in the white waste, and sleep the sleep that knows no waking.

Many of the emigrants were too poor to pay a doctor's bill, or else canceled the indebtedness with a sick calf or a basket of geese eggs. Old Mr. Dean died of typhoid fever in spite of all that could be done for him, and no lumber could be found suitable for a coffin. Finally, Mr. Weatherly, now one of our most successful land dealers, offered the side-boards of his emigrant wagon, and by the help of a carpenter a sarcophagus was made, not as lasting as the Egyptian Kings', but perhaps embalming more tears and sighs, for this funeral seems to have made a lasting impression upon the memories of the early pioneers.

Perhaps the most serious annoyance causing sickness among the people, was the lack of good wholesome bread. A kind of a crude machine, that barely cracked two bushels of corn in a day's time, was built on Timber Creek by William Asher. The grit and dirt made the corn bread any thing but palatable. It was a hundred miles to Oskaloosa, and they were obliged to wait a week for the grist, and if the roads were bad and Skunk river impassable from high water, the result was, corn meal ground through a coffee mill, and made into "flap jacks." Mr. Alexander Boules, in 1849, got out of powder to kill game, the corn meal was scarce, and their bill of fare reads: Soup.—a la deer hide. Meats———
Vegetables———. Dessert.—Black haws. Coffee.—a la sassafras, the material of which they had brought from Kentucky.

But we return to the projects which gave hope to the early settlers, that this state of things would pass away.

From 1853 to '56 the Fulton Air Line R. R. was talked of, to pass through the county, making Marietta an eligible station on the line, thus bringing to the homesick emigrants the comforts of the East. The road was graded from Lyons westward

CHAPTER IV.

Marietta had recieved new accessions from the East. Hon. De Loss Arnold commenced practicing law, and among the enterprising men of that time were Thos. Abell, Esq., from Dunkirk, John Turner and Hon. H. E. J. Boardman. Bangor, Liberty, and all the western townships favored Marietta, as it was nearer the geographical center, while Albion, like a dog in the manger, favored neither, as she hoped to get it herself by some hocus pocus.

At the fall term of the Court in 1853 Judge McFarland was on the bench. He was one of the queerest men that ever lived. He had a divorce suit on hand at the term above mentioned, and both parties wanted divorce. The court opened in due form, parties present, etc. The first witness called was asked what he knew of the parties to the suit. "Oh! not much, they are always a fuddling around," he answered.

At this McFarland half roused himself from a sleepy stupor. "Fuddling around, and around! Clerk, I grant a decree for divorce. Call the next case!" Thus summarily was justice meted out in the olden time.

One of the lawyers at this term of court was from Burlington, and was facetiously named by his professional brethren, "old Timber." He was submitting his case to the jury in fine rhetoric, when a large mule braying loudly, thrust its head through the Court House window. McFarland cried out, "Hold up Old Timber, this honorable court cannot entertain both of your opinions on this question at the same time!" Nothing could equal the intense disgust of "*old Timber*," for the effect on the jury was such he lost his case. But his loss was a great gain in fun to the whole multitude.

At another time McFarland was so drunk that he could hardly sit on the bench. Court was called in due form. Lawyers, jury and witnesses all waiting, when His Honor vacantly stared around. "Well! well! gentlemen, call this court together to-morrow morning at 8 o'clock," and walked

off. There was no other way, only to wait for Justice to right herself.

In September, 1855, at that term an action was brought by Charles Brivnock, N. P. Gregg, counsel. In illustrating his case the Latin quotation, "*Ad quod Damnum*," came in pretty often, and after the counsel for the defendant demurred, Gregg repeated the classical quotation. McFarland broke in, "Gregg, I am going to knock your case higher than a liberty pole. Get out of court with your *Ad god damn 'em*, and don't you ever use so much profanity in my presence again!" Gregg tried to bring a decision from the Supreme Court to sustain his case. "I don't care a d—n for the Supreme Court. Mr. Clerk call the next case," and the Judge leaned back with great dignity, perfectly oblivious of his ignorance.

Marietta had a society that was called the Grand Coop of the Oriental Order of Bachelors, and as witty, genial set of men as ever drew around the board.

Hon. Thos. Mercer, Arnold, our graceful State Representative, Jeff Crookham and John McRye were the leading spirits.

They debated, told stories, devoured nuts and candies, and seemed to exercise considerable social influence. They found the discipline of the Grand Coop rather bad for their digestion, for every one of them were noosed in matrimonial ties within three years. Mercer has filled many offices of trust through the war under the government. Crookham died near Oskaloosa some years ago. Crookham was passionately devoted to the interests of Marietta, and when he was in Marshalltown some of the citizens took delight in teasing him. One day Kelley and Hambel got a parcel of Hoozier emigrants within ear-shot of Crookham, and told some terrible stories about Marietta. "Why, don't you think?" said Kelley, a man was drowned on their public square last week!" Crookham tried to explain matters, but Kelley told them that Crookham had lots to sell up there, and he would tell dreadful yarns. The consequence was a larger Hoosier element in the population of Marshalltown.

In the year of 1854 a settlement was made at French Grove by two brothers, John and Joseph Anselme, Frenchmen, who lived in log cabins, and being near a grove had plenty of timber to fence with. For a long time this settlement was the only one for thirty miles due westward from Marietta. They were jovial fellows, and hunters far and near made it headquarters. In Jefferson township William Powers, and his brothers Isaac and John, came and settled in 1852. Here also was a rendezvous for hunters in an early day. George Wiles, with a party of five, went beyond this grove one day and killed three hundred and eleven chickens, returning to town—their two horse wagon loaded with game, chickens' wings and heads festooning the sideboards of the same like fresco work.

A family by the name of Hoppin lived near the edge of the township; their nearest neighbor was three miles away. Mr. Hoppin was an inexperienced farmer, being by profession a book-keeper, but hearing wonderful stories of making money in the West had bought a farm and commenced operations. He put up a little cabin, raised sod corn, a few pumpkins and beans, and the cold winter found him unprepared for fuel and hay. He was obliged to go ten miles for wood. All winter he bravely bore up under his misfortunes, for his cattle died and children were sick, but in March he died of typhoid fever. The wife had nothing but parched corn for bread, and not a drop of tea or coffee for eighteen months.

One cold day in October Mr. Jonathan Reed, from Ohio, left his wife and family out on the sea of brown grass about three miles from a house, sewing a tent cover as he started for Oskaloosa to buy flour. When the tent pins were adjusted it was found the cover would not fit the tent or wagon either, so they crawled under it and passed the night the best they could. One of the neighbors finally took pity upon their forlorn condition and rented to them a small smoke house twelve feet square, where the family (of eight persons in all) lived through the winter.

This summer was a period famous in Marshalltown for the

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"brick suits" between Wells Rice and G. M. Woodbury. These suits were used by Marietta people to influence votes in favor of their town in the spring election upon the removal of the county seat. "See here!" said they, "those men must be rascals, or they would not fall out!" After this quarrel was adjusted, these prominent gentlemen let all private matters drop, and they worked together like beavers to get the records removed until 1860, when there was no further cause for brotherly love. At the spring election in Marion township, Thos. Abell, Esq., of Marietta, had a good many personal friends there. He had lent money at a low rate of interest, and the rough farmers seemed to appreciate the favor. In the morning Mr. Abell was ready to bet the township would give Marietta a large majority. Wells Rice and some of the Marshalltown men were there, and about ten o'clock, Stewart, of Marion, reached out his arm in a threatening manner and said to Abell, "You sir, have been stealing the Marshalltown ballots, give them up!" Mr. Abell protested that he had not seen them, but so dumbfounded was he that he kept out of sight most of the time that day. The result of this scheme was, that Marion gave thirty majority for Marshalltown. Rice had the ballots in a safe place, and it was only an artifice to bully for votes. Abell told the writer of this article he never felt so mean in his life, and yet he knew that he was innocent. The Marietta Express, however, placed a symbol bird at the head of its columns announcing victory for Marietta throughout the county. The Albion paper seemed to rage at this, and called out some terrible invectives in their columns, but it was of no use, Marietta had beaten her foes, and lot-holders in the persecuted city felt safe. Mr. Crow, who kept the Marietta House, gave a fine supper to his friends. But a word of the moral influences have moulded society to its present condition of intelligence, morality, etc.

The Methodist Episcopal Church as early as 1851 founded what was called, her Marshall Mission, Rev. S. Dunton doing the work. Late one night in the autumn of this year he

reached the cabin of Mr. Ralls, on Linn Creek, south of the city of Marshall, chilled and hungry from his long ride on horse-back, coming through from Iowa City in two days.

After cheering a few friends in the vicinity with the first consolation that a minister of Christ could give in the sparse settlement, he attempted the next day to go onward to Marietta and form a class, but the high water prevented his crossing Linn Creek, for the torrent had loosed the only bridge, so he was obliged to return to Iowa City for a more favorable opportunity. The next spring he came back and organized a little church at a Mr. Griffiths at the mouth of Timber Creek. In 1853 a church of this denomination was organized in Marshalltown at the school room in a house owned by Chris. Ford, but its progress was slow, and as late as 1857 it numbered only thirty members.

The quaint, yet pious Rev. Mr. Shinn, who was once appointed temporary chaplain of the House of Representatives. His memorable prayer upon that occasion may be forgotten in history unless we reproduce it. "Great God! bless the young and growing State of Iowa, bless her Senators—her Representatives, bless all her state officers, give us a sound currency, pure water and undefiled religion for Christ's sake. Amen!" A model prayer, for it was brief. The first camp meeting was held in the forest near Griffith's mill at the mouth of Timber Creek. Here with no "rustling silks or jewels shine," old fashioned Methodism made itself felt far and near, and with a hearty remembrance of the enjoyment of this meeting it wrought out a great work in His vineyard, for it numbers through the county a membership of eight hundred.

The New School Presbyterian Church was organized in Marshalltown in 1858, with Rev. Mr. Gordon as pastor. There was only a little handful of members—nine in all. Mr. Gordon was a radical anti-slavery man, becoming quite unpopular with his congregation, and was obliged to leave after a pastorate of a year. He also preached in Albion, and occasionally in Marietta.

The Rev. Mr. De Loss was, however, the most efficient minister in the whole history of this church organization. He obtained subscriptions for a church, got men to give day's works upon the edifice, and after a while, after much labor and financial discouragements, the brave old man saw one of the finest church buildings in the State erected as a reward for his prayers and efforts. He died soon after his work was done, much lamented.

There was a Congregational Church organized at Marietta and Albion in 1859, and the Rev. Mr. Boardman alternated his preaching in both towns. The Lutherans came to Albion in 1861, also had preaching in Marshalltown.

The Universalists for some years have been quite numerous in the county, and now Baptists, Congregationalists, Disciples and Episcopalians are wealthy, influential denominations.

About the year 1857 in the strife among the towns of this vicinity for notoriety, Albion, fearing that her efforts in favor of getting the county seat would be abortive, at last concluded to try her hand upon some institution of learning.

Upon a hint in the journal published by Chapin and Barnhart, of Albion, subscriptions were asked of Marietta and Marshalltown so that a college building could be at once commenced. It was also intimated to the rivals that the one which gave the highest subscription would get the most votes from Albion and Iowa township in the coming election. Subscription papers whisked around a good deal faster than a poor-box in both towns, so when the papers were opened it was found that Marietta had given three thousand dollars, and not to be outdone Marshalltown gave a thousand more. Albion was now shelved to the joy of the "rivals," and commenced her present college building. Marshall County voted the sales of swamp lands within her jurisdiction, the money to be used in the college building and for the payment of teachers.

A creditable building was erected, and every thing went on

swimmingly for the new institution, otherwise called the Marshall County High School. But from some defect in the school law these high schools did not receive help from the State, so that no permanent endowment fund could be made, and after a year or two the school languished.

The Lutheran Synod then approached the Trustees with a proposition to buy the College building for their own particular sect, and their denomination being influential would make it the best school in the State. The Synod was to give sixteen thousand dollars for it, but for impecunious reasons the money was not all paid over, and finally after a term of years Thos. Swearingen, Esq., obtained a judgment against the institution, and it is now under his control, although the Synod claim the stock.

The College, under the supervision of Prof. Schaefer, was a great success, but some evil spirit ever since has troubled it with misfortune, so that it never has numbered over twenty students since. The war injured it somewhat, and the citizens of Albion have not given it the support it needed. The history of Western Colleges, like that of Western Cities, is a varying one.

(To be Continued.)

PIONEERS OF MARION COUNTY.

BY WM. M. DONNEL.

(Concluded from page 390.)

On the 28th of September, 1861, Henry Haspers, having purchased the office of the old Pella *Gazette*, commenced the publication of a newspaper in the Holland language, called the *Pella's Weekblad* (*Weekly*). This paper was, and is, in the interest of the Democratic party, and enjoyed a good patronage,

being in a community where that party was largely domineer. On the 18th of June last (1870) Mr. Haspers, having been appointed by the Legislature to the office of Emmigrant Agent, sold the paper to H. Neyenech, by whom it is now conducted.

The Marion County *Republican* was purchased by B. F. Williams in Oct. '61, and edited by him till he sold it to Wm. G. Cambridge, Aug. '66. In '63—4 Mr. Williams rented the office to a printer named Griffin, who reduced it to half its original size, and issued it principally as an advertising sheet. In March, '67, Mr. Cambridge sold it to Sperry and Barker, by which transaction the *Republican* was finally discontinued.

In the winter of '64—5, Mr. C. S. Wilson, since connected with the Winterset *Madisonian*, purchased the press and type belonging to the *Democratic Standard*, moved them to Pella, and on the 3d of Feb., '65, commenced the publication of the *Pella Blade*.

Mr. Wilson was a radical Republican, and a writer of rather more than ordinary genius. In the local department he made the paper especially attractive by his peculiar style. In his salutatory he says:

“Acting, up to the time of the beginning of the rebellion, with the Democratic party, I have, since that time, had a heretage in none; but, believing that upon the success of the Republican (or Union) party, and the triumph of their principles, depend the rescue of the country from the hand of treason, and its existance among the family of nations, I have acted politically with that party. The *BLADE* will continue the advocacy of these principles, at the same time its columns will not fail to condemn whatever it judges to be incompatible with the public interest or the national honor.

“In the local department particular attention will be given to the spread of such intelligence concerning our city and county as will be of benefit to them.

“It will be my aim to make this journal acceptable as a family newspaper, and, to this end, the latest news, poetry, tales, agricultural affairs, and items of all kinds will find a

place in its columns. Believing that nothing tends more to the development of a county than a wide-awake newspaper, we shall endeavor to avoid the Rip Van Winkle style as much as possible."

As a sample of Mr. Wilson's wide-awake style, we are over-tempted to copy the following from the local department of his first number of the *Blade*:

"OUR DRAFT CORRESPONDENT.—We have secured the services of one of the ablest writers of the age, at a salary of \$25,000 per annum, to go West and correspond for the *Blade* from the Draft Regions. He will report weekly everything of interest that occurs among the numerous class of pilgrims who have so nobly taken their lives in their hands and—ran away. If a rattle snake should be so uncourteous as to take a nip at the heel of one of these devoted pilgrims; if a grizzley should chance to indulge in a breakfast of pilgrim ham, or a Pen Perce fancy a collation of draft steak, he will duly report. He has also another mission. We are somewhat related to the Digger Indians, and it will be the business of our correspondent to take steps to prevent any of the valient pilgrims from marrying into the nation of Diggers, as we are careful of our blood, and do not want to have it polluted by any such intermingling."

After publishing the *Blade* for about a year, Mr. Wilson sold the press and type to Melick, who took them to Waterloo, Black Hawk Co., and printed the *Waterloo Courier*.

Soon after this the *Blade* was renewed by R. Crosby who, shortly afterwards, associated with him Jas. H. Betzer. In Dec., '67, Crosby sold his interest in the concern to H. G. Curtis, and, in Dec., '69, Curtis sold to A. T. Betzer. At this date the paper became a semi-weekly, in the firm of Betzer Brothers, and continues so to the present.

The Marion County *Democrat* (Knoxville) was first issued Sept. 19th, 1865, by J. L. McCormack, from a press and type he obtained in Missouri. In his salutatory he said:

"It is the intention to make this sheet a welcome visitor to

the fireside of every household; to give instruction, to afford pleasure and enjoyment in the perusal of its columns, and, if possible, to bring about a little better understanding in the minds of the people as to their true duties of neighborly citizenship."

After promising a fair share of its space to agricultural and mercantile interests, and also to the entertainment of the lovers of literature, he adds:

"In politics this paper will support the principles, and stand by the organization of the Democratic party. It acknowledges allegiance to none other, and will pay fealty to the behests of its regular organization alone.

"Believing that the safety of our republican institutions requires a return to the principles of the party that established the Union, we shall labor for the overthrow of the party now in power, and insist upon a return to the condition of things that existed before traitors endeavored to destroy the Government."

The *Democrat* is a large, well-conducted journal, and commands a liberal share of the public patronage.

In March, 1867, another paper was started in Pella, called the *Pella Gazette*. It was printed in the Holland language, devoted to the interests of the Republican party, and edited by G. Van Ginkel. After running about eighteen months it was discontinued, and the press was purchased by Snow and Hulur, a mercantile firm in Pella, who issued a monthly journal for the purpose of advertising their business.

In March, 1869, Messrs. Sperry and Barker, formerly of the Guthrie County *Vidette*, exchanged printing offices with W. G. Cambridge, of the Marion County *Republican*; and on the 20th of June issued the first number of the *Iowa Voter*, at Knoxville. In his salutatory the editor says:

"The *Iowa Voter* will be a radically Republican newspaper, working as best it may to further the cause of Republicanism and the welfare and progress of all advocating impartial suffrage for the whole nation, and striving always to be a

prompt and reliable medium of general and local news—in short, a live Republican newspaper.”

The *Voter* has a large circulation, enjoys a large share of public patronage, and has rendered itself worthy the reputation of a good local journal.

On the 8th of Jan., 1868, a newspaper called “*Copperhead*” made its appearance in Pella, under the proprietorship of Bennett, McCully and Gamble. Owing to the novelty of its title, and the peculiar notoriety of one of its editors (Bennett) as a radical Democratic politician, its advent caused some sensation in political circles. The name was evidently chosen to offset the stigma intended to be fixed upon the Democratic party by the Republicans, when they gave it the name of a most poisonous reptile.

In his address “To the Public” the editor says in his well-known radical style:

“Our chief aim will be to make it a first-class Democratic paper, devoted to the interests of the great Democratic party, and the masses of devoted, industrious, honest men who support the Government, uphold its laws, and stand by its written Constitution, as expounded by the supreme judiciary of the land.”

Only eleven numbers of the paper were published in Pella. In the last week in March it was moved to Ottumwa, Wappalo Co., where it is still published by McCully and Evans, McCully remaining at Pella to attend to the interests of the firm in this County.

During its publication in Pella it and the *Blade* waged a violent personal warfare, in which the moral character of the combatants was subjected to a rigid scrutiny. When the *Copperhead* took its departure for Ottumwa the *Blade* came out with a roughly executed but amusing caricature of the event, representing a huge serpent borne partly on a hearse and partly on men's shoulders, followed by several mourners.

In the Spring of 1870 the proprietors of the *Blade*, *Democrat* and *Voter* entered into a written agreement pledging

themselves to the advance payment system on subscription, to begin on the first of June. At first this was thought to be a rather hazardous policy where the credit system had so long been the practice. But the new rule, though rigidly adhered to, has proved quite as successful as the publishers could have desired.

CHAPTER XV.

IOWA CENTRAL UNIVERSITY.—MARION COUNTY AGRICULTURAL SOCIETY.—COUNTY POOR HOUSE.

Among the public institutions that have been established in Marion County within the past few years, as evidence of her prosperity and enterprise, the three important ones mentioned above may be deemed worthy of special notice. And we regret our inability, owing to the lack of sufficient information, to give a more detailed history of them.

In the spring or summer of 1853, a society was organized by the Baptist Church, at Pella, looking to the establishment and endowment of a school there, to be called the Iowa Central University. The following are the names of the officers:

Faculty.

REV. ELIHU GUNN, REV. E. H. SCARFF, PROF. A. N. CURRIER,
MISS S. J. STODDARD, MISS MARSE.

Directors.

President, E. GUNN; *Vice-President*, E. M. SCARFF;
Treasurer, HENRY P. SCHOLTE.

Besides these there were about thirty trustees chosen. From their address, delivered at the fourth annual meeting, we quote the reasons set forth for the location of this institution at Pella:

"The denomination, wherever its will has been expressed upon the subject, has always demanded a central location.

Another location, provisionally made, was almost universally rejected in the State Convention, and mainly on the ground that it was sectional in its location. And with the best reason. When almost all the other denominational schools were located on or near the line of the Mississippi river, why should we not take possession of the magnificent field left open to us in the central part of the State?

"Pella is situated within thirty miles of the geographical centre of the State, in the immediate vicinity of the Des Moines river—the great channel of inland communication, and the centre of the commerce and manufactures of the State for all time; near, also, to the point where several of the great railroad lines which intersect the State are to converge, and in the very heart of the great coal field of the State, the richest, perhaps, in the world, and in one of the most beautiful and healthy portions of this or any other country.

"Combining all these advantages, it is yet far enough removed from any great centre of trade and commerce to have all the advantages of a quiet country location. Of the advantages of a country over a city location for a college, one of the most respected of the living Fathers of our denomination, and one of the most experienced in such matters, in a recent production on the subject, wrote as follows:

"'Instead of farmers and other persons from the villages or country sending their sons to a great commercial city, into the vortex of commercial speculations, political excitement, fashion, frivolity and dissipation in every form, those families who desire to preserve their sons from the contamination of city intercourse will send them to a college situated in a rural village.'

"Such a village is Pella; quiet and retired, it is yet populous enough to secure all the advantages of good society, and near enough to the great thoroughfares of travel to be at all times easy of access. It is also noted for the quiet and orderly habits of its people, as well as for their moral and religious character. To such a place parents can send their children

with every assurance that their habits and morals will be safe."

Large endowments were secured; and, in 1856, a beautiful and commodious brick building was erected in the south-west part of the city, on ground donated for the purpose by Rev. Henry P. Scholte. It was, however, not completed till some time in 1857, and was first opened for the reception of pupils on the 1st of Sept. of that year.

The building stands in the centre of a beautiful park. The dimensions are 50 by 70 feet, three stories high, with a basement besides; contains fourteen rooms, including a large chapel, a library and a museum, and is capable of comfortably accommodatting three hundred pupils. Its entire cost was between \$15,000 and \$18,000.

In 1857 the report of the trustees announced the reception of an endowment of \$50,000, in scholarships of \$100 each, and the prospect of another large endowment soon to follow. The school has been well patronized with attendance and donations, and is now in a flourishing condition.

In 1856 the agricultural interests of the County seemed to demand an organized plan for its encouragement, and to facilitate the dissemination of such intelligence as might be useful in the various departments of the business. The only one calculated to effect the end desired, was to organize a society, appoint a time and place for a general meeting of the farmers, and award premiums for the best samples of live stock, grain, fruits, &c.

So the Marion County Agricultural Society was organized during the year above mentioned, and the first fair was held on the public square in Knoxville, in October. Only a few animals were exhibited, and, consequently, but few premiums were awarded. For the want of any other room for the purpose, the old court room was used as a floral hall.

The next exhibition, in Sept. of the year following, was held on the common a little west of town, where tables were set in

the open air for the display of vegetables, small mechanical and artistic products.

These means of exhibition being totally inadequate to the increasing wants of the society, a joint stock company was formed in 1858, who purchased a beautiful plat of ground one mile north of town, and put it in sufficient repair for the use of the society that autumn.

Eight acres of the ground belonged to Drury Overton, and two to Thomas Clark, and were described as the north-east quarter of the north-east quarter of the north-east quarter of section (1) one, town (75) seventy-five, range (20) twenty.

The ground is a beautiful and gentle incline southward, in a natural grove well shaded, enclosed by a high board fence, provided with a commodious hall, pens and stalls for the use of stock, and a good well of water.

The first fair was held in it in 1858. In June, 1870, it was deeded to the Society. The fair in Sept. of this year was well attended, and the finance of the Society reported to be in a good condition.

During the last few years, previous to the robbery, the treasury was constantly subjected to heavy drafts upon the poor fund. From some cause or other the number of paupers seemed to have increased, and the expenses of their support began to be looked upon as burdensomely heavy, particularly in the case of those who were invalids under the care of physicians. Some retrenchment in this department was deemed advisable, even at a considerable cost to start with.

Though it was known that many of those who were cared for at public expense, were worthy subjects thereof, it was yet supposed that not a few would prefer to make some effort to earn their own support than submit to the humiliating condition of becoming inmates of a poor house.

So, in 1865, a movement was made by the Board of Supervisors, looking toward the purchase of a farm and the erection of a house to become the home of such helpless persons in the county as were otherwise homeless and friendless. A com-

mittee was appointed to select a location and contract for its purchase, and in due time reported in favor of the west half of the north-west quarter, and the north-east quarter of the north-west quarter of section 14; and the west half of the south-west quarter of the north-west quarter of section 10, 120 acres, all in town 75, range 20, belonging to Elisha Elliot, and situated about two and a half miles south-west of the city of Knoxville. Cost \$1,200.

The purchase of this land was made on the 15th of Dec., 1865; and, in the spring and summer following, the whole of it was fenced and forty acres broke, part of it planted in corn and wheat, all at a cost of about \$800.

The contract for building the house was let to the lowest bidder, and was awarded to Jacob Reichard, in July, 1865, at \$1,450. It is a large three story frame building, the basement story being fitted for a kitchen. The second and third are each traversed by a hall between two rows of rooms. Stables and other out buildings were added to the place some time after.

The contract for overseer and physician were awarded to John Robinson and Dr. Wetherell, under whose care the County poor were comfortably provided for in their new home.

The experiment proved quite a success. The number of paupers was greatly reduced, and the support of the remainder so systematized as to make it much less expensive.

FINIS.

"THE BIG BOTTOM," OR "NORTH BEND" OF THE IOWA RIVER.

BY N. ZELLER, PENN TOWNSHIP, JOHNSON COUNTY.

John Gaylor and Alonzo C. Denison were the first men who made claims with the intention of settling in what is now known as Penn and Madison Townships, Johnson County. Both were from Bureau County, Ills. Gaylor arrived late in

the summer of 1838, with his family, and made his claim where the farm of John Wilson now is, who bought Gaylor's claim and entered the first land in the settlement.

Alonzo C. Denison in a few weeks followed Gaylor, and made his claim near by and returned to Illinois, and the following spring returned with his family and brothers, Joseph and George Denison, who all made their claims on the edge of the prairie and timber. Gaylor erected a cabin about twelve feet square in the timber to winter in the first winter, where was born the first white child in the settlement, no white settlers being nearer than Iowa City, ten miles distant. Medical assistance was had from the neighboring squaws. Gordon A. Denison, then about three months old, was the first white child brought to the settlement. This was in the spring of 1839. Gaylor was an athletic man, about six feet two inches in height, kind and affectionate, but able and willing to defend himself in any emergency, and is supposed to be still living in Illinois.

The three Denisons are still residents of the county, and two of them have seen their second generation. Joseph still resides on the claim he first made, and is now the oldest "settler" in the vicinity. These were soon followed by others, and in June, 1840, the following additional persons were residents by *claim law*, as the land had not been surveyed, viz.: David Wray, Carson B. Wray, Geo. Wein, John W. Alt, Jacob H. Alt, Joseph A. Alt, Adam Alt, Jackson Purdoo, Ira Purdoo, Evan Dollarhide, Rev. Isreal Clark, Martin Harless, Robert Waterson, John Aslan, Hugh Napier, David Crozier, Gilbert and Frank Herington, and James Chamberlin. About this time emigration commenced again to travel toward the setting sun.

William Dupont was the first white man who moved through the settlement, "westward bound." These pioneer families were all "mettle of the true ring," and began to think about founding a school; and in 1841 Benjamin Horner taught the first school in a cabin erected by David Crozier.

and vacated by him. It took fire and burned down during school time, but not discouraged, in 1843 a pretty good and respectable hewed log house was built, where North Liberty is now located. In 1849 the house was remodeled and improved; in 1860 a new frame house was erected, and in 1865 a two story good frame house was erected, and the school graded. The first graded school was taught by Miss Martha J. Bowman. The house built in 1843 answered for school and all public business, and religious worship.

Elder Lineback preached the first sermon in the settlement in the shade of the grove where the first claim was made by Gaylor, John Horner and Isreal Clark. The next, A. C. Denison, was the first man to erect the "family altar" in the settlement; now those families number several scores.

The settlement increased rapidly, and when the township was organized, on motion of Francis Bowman, it was named *Penn Township*, in honor of the renowned William Penn, which was since under the county judgeship of Hon. Geo. W. McCleary divided into Penn and Madison Townships.

NAMES OF STREAMS.

There are four small streams entirely within the "Big Bottom," as it was originally called, now known as *North Bend*. 1st, Purdoo Creek, Jackson and Ira Purdoo settling near the mouth of said creek. One of the Purdoo's exploring the creek to its head saw a cabin near the source, to which he went, and as he was a stranger and somewhat jocular, enquired of the lady of the cabin where Purdoo River was. The lady could think of no such river, and the stranger (Purdoo) got no information of Purdoo River. Afterward the joke was discovered, and the creek was called Purdoo Creek. This was the original name, and should now characterize the little stream. Afterwards it bore several names, viz.: Buffalo, Dollarhide, and Dirty Face Creek;—the name Dirty Face originated thus: In those early days citizens did not always settle disputes by feeing lawyers, and passing through the

routine of law, but sometimes settled them with the stout arm of their own law, without lawyers or Justice's Court. A settlement or suit of this kind came off in Iowa City, then a small village, between the before named Harless and one Aslin. Both parties being in town, and it being a very dry time, the streets were several inches deep with dust (street sprinkling being then unknown in Iowa). The trial took place in the street without lawyers or justice, and whoever was willing pitched in, and before it was over some half dozen were at it. Both parties claimed the victory, and it was unsettled, both parties coming out of the battle with their *faces* covered with *dust* (and of course no credit) so as to be hardly recognizable. Harless, to give vent to his feelings and outflank Aslin, called the creek "dirty face," as it was then called Dollarhide Creek.

Spring Run was so named twenty years ago by the writer, from its being less liable to freeze than ordinary streams emptying into Purdoo creek.

Spring Creek was so named for similar reasons as Spring Run, and its neighborhood was first settled by Adolph Roberts.

Dry Run, so named from its liability to raise very high during a thaw in winter, freeze over, and the water leave the ice sometimes ten or twelve feet, was first settled upon by O. G. Babcock and Henry S. Gould.

NAME OF SETTLEMENT.

Big Bottom was the name known to frontier men before settlement; after settlement it named itself, *the Bend* or *North Bend*, the Iowa River bearing nearly due north and then nearly due west, making the name—North Bend of the Iowa River.

A scarcity of mills for grinding was among the privations to endure by those pioneer families. Before any mills were in the county not an unusual mode of grinding corn was by a

grate made of a piece of tin eight by ten or twelve inches, punched full of holes, and nailed, with the rough side up, on a piece of hewed wood, and raised in the middle by tacking a cob under it. The corn was boiled, then half dried, and it would grate easily. One of those primitive grates or mills is still in existence, and ought to be preserved. The Switzer Mills, near Iowa City, the first in the County, afforded some relief. Next Mr. Chaney commenced building a mill near the mouth of Purdoo Creek, the burrs of which he manufactured out of our prairie boulders. This was some help, but in low water Mr. Chaney had to sometimes help the water-wheel to start, and if it ceased to move help was applied, and it would grind and bolt some. At present the nearest mill on the Iowa River claims over two hundred horse-power, and there is another of considerable capacity, and a number of steam flouring mills, and the Iowa River water-power is still not yet half improved. Imagination may well be stretched to measure the next thirty years by the past thirty, or by looking at the little corn grate and then at our present merchant mills. It would be worth a little boat ride on the Iowa River to the millers of the present day, to see the little corn grate of 1839 and 1840.

ANECDOTES.

In those early days Mr. Geo. Wein procured a Durham bull calf from Ohio, which grew to be a gigantic animal, and was known by the name Santa Anna, not being handled much, and wild. Isreal Clark became the owner of him, and his son, Daniel, a young man in the prime of life, undertook to bring him home from the prairies, he being on foot, with a bridle in his hand. The bull refused to be driven, and he could not drive him, so he concluded to mount him and drive him with the bridle. He succeeded in mounting him; the bull bellowing and making all manner of lunges, finally threw him, the bull being the worst worried; and Clark, an exceedingly active and light man, sprang upon his back again, bridle in hand,

and this time succeeded in conquering him, and rode him home. Afterward it was *said* he could ride a buffalo home if he desired, but I think he never succeeded.

While one of those pioneer men was building his cabin, a number of Indians were encamped on the river. A hearty young Indian came up and addressed himself as politely as he knew how, and desired to *swap squaws*. The man, somewhat amused, enquired of him where his squaw was. He said she had gone up the river. He was then told *no swap*.

TRAITS OF CHARACTER.

Notwithstanding the errors which have characterized some of the settlers, as is common since the days of Adam and Eve, three things have been foremost among the virtues of the people of this section, viz.: 1st, The fear of God. 2d, Industry. 3d, Education. These three are common to the State. This "Big Bottom" now contains about a dozen school houses, and four meeting houses or churches.

COL. JOHN A. GARRETT.

(See portrait at the beginning of this number.)

BY A. K. CAMPBELL.

One of the great results of our late civil war was the development of so much that was worthy and heroic in the American people which times of Peace never could have made manifest. No country ever had braver, truer, more self-sacrificing defenders. Let no pains be spared to perpetuate their memory.

JOHN ALEXANDER GARRETT, the subject of this sketch, has answered every call of his country since the days of his ma-

jority—was present in the last desperate struggle with Santa Anna, in Mexico, was cheered with the sight of the American flag floating triumphantly over the land, and as Captain and Colonel in the armies of the West in the last great effort to maintain the supremacy of the old flag over our noble domain, has done no unimportant part in effecting the grand result of our nation saved, regenerated and raised to the foremost rank among the nations of the world.

He was born Nov. 15, 1824, on a farm adjoining the town of Carlisle, in Sullivan Co., Indiana. He was named for his uncle, John Garrett, and the noted Presbyterian divine, Rev. Archibald Alexander, D. D. His father, James Garrett, was born in an early day of Kentucky history, in a fort near Louisville. The family afterward settled in Woodford County, Ky., near Versailles, in one of the finest portions of the famous Blue Grass region. Here James Garrett married Miss Anna Johnston. The Garrett family were hearty and vigorous, living to good old age—the mother reaching about 90 years. The Johnstons were tall, very straight, fair, and rather delicate—some of them were reputed quite fine-looking. Both families are believed to have been of pure Irish descent, although for several generations past all foreign characteristics seem to have disappeared. James Garrett held the rank of Captain in the Indian wars of his day. In 1816 he emigrated to Sullivan County, Indiana, and with that sturdy, determined energy which characterizes the American Pioneer cleared away the forests and made him a home. He was a plain man, neat in dress, and of good habits, proverbially honest, endowed with strong, common sense, and once having decided on what was his duty, he could not be turned aside. Col. G's mother was a loving and devoted wife, a kind and regardful mother; in every relation sincere and true. Both were quiet but active members of the Presbyterian Church, the father being an elder for years before his death. They gave their son all the advantages of an early education that the country would afford, sending him to the best schools of

the section. In November, 1841, he was sent by his father to Hanover College. Here he had for a class-mate Prof. William Butler, who afterwards was killed by Matt Ward, in Louisville, Ky. Butler, as Supt. of Public Schools, having punished a brother of Ward. In 1842 he went to Bloomington to Indiana University. Here among his teachers was Prof. Jacob Ammen, a West Point-er, a noted mathematician, and an accomplished drill master, a General in the late war, and the man who, leading the advance of Buell's army, at the crisis of affairs reinforced Grant at Pittsburg Landing and wrested from the rebels after desperate fighting all the advantages they had gained in the previous fighting. Here under Gen. Ammen Col. Garrett, as a young college student, received that severe military training in a College Company, which laid the foundation for his future reputation as Company and Regimental Commander in the war for the suppression of the Rebellion. Not being able to endure the close confinement incidental to student life, he was obliged to leave the University, and returned to the home farm for which he had a strong attachment, and with reason, for it was a farm noted through the county for its beauty. During a winter or two following he taught district school with success.

In 1847, having recruited in health, he returned to the University, and was energetically pursuing his studies when the sound of the recruiting drum rolled over the land, and in June, 1847, leaving, as is told of him, a volume of Prescott's Conquest open on his table, he enlisted "for the war" against Mexico—the only student enlisting—in Co. G., 4th Ind. Volunteers. In a few days the regiment was off for the war, arriving at New Orleans on the 4th of July; and there taking a sailing vessel for the mouth of the Rio Grande, which they reached after a weary voyage. Thence they took a steamer up the river to Mier, and from that point they marched by land back to the mouth of the river via Camargo, a town famous as being the place where Gen. Pillow immortalized his name by digging a ditch on the wrong side of his

fortifications. Here our young soldier got very unfavorable impressions of the land of which he had read such romantic description and history—a miserable, degraded people, a poor country—poor dilapidated towns—nothing inviting or redeeming. After a short voyage they reached Vera Cruz, en route for the center of Mexico.

Remaining but a few days at Vera Cruz, they took up their march over the grand National Road—on a forced march to relieve Col. Childs, then besieged at Puebla. The march through the lowlands was terribly exhausting, but was endured with fortitude, and after enduring great suffering from the intense heat, severe march and debilitating effects of the climate of that peculiar tropical region, the army began the ascent to the table lands, and after a few days were refreshed with the mountain air and mountain scenery. Here they passed the picturesque town of Jalapa—a delightful spot of earth which its people call the paradise of the world, and with much reason. It is a place known far and wide for its pretty women; its delightful climate, its delicious fruits; its gorgeous flowering shrubs and vines,—even the common flowerless plants of the North here flowering with rich and almost perpetual bloom, and the fruits of temperate and tropical climates combine to enhance the glory of Jalapa;—here is perpetual spring, summer and autumn,—fruits and flowers bud and come to perfection amidst a profusion of fruit and bloom on every side.

Reluctantly leaving Jalapa our army marched on for Puebla. The night following the army was drenched with floods of rain, and the cold winds coming down from the mountains made the sufferings of the army terrible, poorly equipped as they were,—without blankets or over-coats for the most part. The Colonel says he has passed no other night in his experience entitled to compare with it. In one instance a soldier offered a gold eagle for the privilege of sleeping in a government wagon. In those days Uncle Sam's boys were poorly cared

for,—rations were poor, and seven dollars a month was the meagre pay—and in all respects since then vast improvement has been made in the care of our soldiers.

They passed through the old town of Perote. Near this town on the 9th of October, 1847, our army fought the battle of Huamautta. When five miles off the infantry heard the guns—the cavalry, under Capt. Walker, a Texan, having engaged the enemy. A wonderful race to get into the battle followed, and the infantry arrived in time to participate in the fight, and have a share in the glory of defeating Santa Anna in his last battle of the war. Santa Anna was in a church steeple near by viewing the battle, and seeing the rout of his army made his escape. Capt. Walker had been a prisoner in the hands of the Mexicans, and took this opportunity to avenge his wrongs. He covered the public square with the killed of the enemy, but was himself killed at the close of the engagement. Thence our army marched into Puebla, driving out the Mexican army, which had so closely besieged Col. Childs. The army remained all winter at Puebla, and during the winter had two running fights with the Mexican army—at Atlitxco and Hascala.

The grand scenery about Puebla, its “alamedas,”—splendid public gardens, blooming with a profusion of the finest flowers, trees of magnificent foliage, fountains; richly dressed, beautiful women, a people given over to love of pleasure—snow-capped Orizaba on the East and Popocatepetl on the West, grand mountains, are among the vivid recollections the Col. has of his soldier life in Puebla. While there he, with a party of comrades on a furlough of ten days, went to the city of Mexico to look upon the “Halls of the Montezumas,” and see the sights and wonders of the strange old city which the exploits of Cortez and his robber band have made famous till the end of time. While here he visited the famous battle-fields about the city, and the scenes of the conflicts between the Aztecs and the Spaniards under Cortez, in the days of early adventure in the New World.

In July, 1848, he returned to his native town, and for a time acted as clerk in a dry-goods store. About this time he traveled in the Green river country, Ky., and while there received those impressions of slavery, (having personal knowledge of the beating to death of a slave woman in the field by her tyrannical master) which ever after made him the steadfast enemy of that institution. Thence until 1852 he was engaged in business with Peter Hawk, now of Newton, and his brother. In 1852 the Garrett brothers, with Orson Willard, shipped cattle through to California, Willard and family and James H. Garrett going through with the cattle. While in California James H. married the oldest daughter of Orson Willard, and on the return of the parties, on Feb. 17, 1857, at Terre Haute, Ind., John A. (subject of our sketch) and Martha Isabella Willard, youngest daughter of Orson Willard, were married. The Willard family were from New York. Gov. Willard, of Indiana, was one of the family. During the time of stay in Carlisle, previous to marriage, the Colonel had acted as President of the Co. Agricultural Society, and Director of the Vincennes and Terre Haute Railroad, having been one of sixteen men who had contributed \$40,000 to secure the location of the road through his town of Carlisle. The day following his marriage, carrying with him the regrets of the people of his native county, he started for Iowa. April 18, 1857, he landed at Burlington. Leaving his wife at Indianola he traveled through Missouri and Kansas looking up a home, but finding no place to suit him so well as Iowa, he returned and settled first at Des Moines. In the spring following he removed to Leon, and sold family groceries. In February, 1859, he moved to Newton, making the trip with his wife and babe in an open wagon. Here he went into the general dry-goods trade.

In 1861 occurred a little matter which has come to our knowledge, which shows the character of the man in most commendable light. Receiving about that time a considerable sum of money, the proceeds of the sale of slaves belonging to the estate of an aunt in Kentucky—a matter which was

entirely beyond his control, he turned the amount over to the American Colonization Society, for the benefit of the enslaved race, not wishing in any way to profit by the misfortunes of his fellow beings, and more especially through the oppressions of American Slavery.

In August, 1861, he raised a company in Jasper County, which on Sept. 6th and 7th was mustered in as Co. I, 10th Iowa Inf., Col. Perezel. Cape Girardeau was the first point of operations for the regiment—the time being spent in drilling and chasing Jeff Thompson. At the taking of New Madrid Co. I was the first company to enter the town. In the series of brilliant exploits here and at Island No. 10, resulting in the capture of a large part of the rebel army, Co. I was among the foremost. The 10th next went with the expedition to Fort Pillow, thence back to Cairo and up the Tennessee river to Hamburg, reinforcing Halleck's army on the left. While before Corinth a high compliment was paid to Captain Garrett by his fellow Captains. Word having been received that Col. Perezel was about to leave the regiment the Captains of the other companies of the regiment united in recommending Capt. Garrett for Colonel over themselves, (many of them being senior by letter) and over the field officers. At this time the Captain had brought his company to great perfection of drill and discipline. Shortly after this, while at Jacinto, Mississippi, in Sept., 1862, Capt. G. was promoted to the Lieut. Colonelcy of the 22d Iowa. On the occasion of leaving, his company presented him a splendid sword as a testimonial of their esteem, and their regret at losing him as their commander. While on the way North to join the 22d he learned of his appointment as Col. of the 40th Iowa then forming at Iowa City.

At the time of Capt. Garrett's promotion Col. Perezel issued the following general order:

“HEADQUARTERS 10th IOWA VOLUNTEERS,
Camp near Jacinto, Miss., Sept. 8th, 1862. }

“GENERAL ORDER, No. 37:

The Col. Commanding announces to the

regiment the promotion of John A. Garrett, Capt. Co. I, of this regiment, to the Lieut. Colonelcy of the 22d Reg. Iowa Vols. While he greatly regrets the necessity of parting with an excellent officer he cannot but rejoice at his well-merited promotion. During a year's service the Col. Commanding never has had occasion for the slightest blame in the conduct of Capt. Garrett. Unassuming, even tempered, civil and courteous,—in short a gentleman. As a soldier, brave, faithful, indefatigable and fully qualified for his position. As a citizen, a true patriot, earnest and honest in his political principles. He was honored and esteemed by his superiors, and beloved by his comrades and his company. The Col. Commanding is satisfied that he expresses the sentiment of this regiment in giving to a brave comrade this acknowledgement of his merit, and in tendering him this public farewell our best wishes will follow him to his new position. All which would be said in his praise I think is presumed in the fact that he leaves but friends behind him.

NICOLAS PERCZEL, Col. Comd'g Regt.

WILLIAM MANNING, Adgt."

On the 15th of November, 1862, the 40th was mustered in and started for Cairo. The Regiment wintered at Columbus. During the stay at Columbus the situation of the 40th was disagreeable in the extreme. The weather was wet and cold, and severe upon the men, who were mostly quartered in "dog-tents," and were otherwise poorly prepared for the snows, rains and chilling winds of that winter. The regiment was detained at Columbus watching Forest, who kept that section in lively anticipation of attack for some weeks. In March a move was made to Paducah, where the 40th stayed about sixty days, and the weather proving favorable and the camp grounds fine, the regiment was drilled into splendid condition, forming one of the most promising regiments of the army.

In May the regiment was ordered to Vicksburg, and remained in the rear of the city until after the capture, suffering great loss from the effects of the climate, bad water, &c.; a loss from which it never fully recovered. After the capture the 40th went to Helena—thence across Arkansas to the capture of Little Rock. The 40th was selected to make the first

crossing of the Arkansas, a heavy battle being expected when the attempt should be made. Lieut. Col. Cooper (Col. Garrett being absent) led the regiment in the crossing of the river, and although no resistance was made by the enemy, the bearing of the men as they led the van against an enemy who with even very inferior forces might have made a desperate resistance to the crossing, showed the metal of the regiment, and proved it to be equal to any emergency the war might produce. It was a grand point gained, and was bravely, heroically done; and, as later, at Okalona and Prairie D' Anne and Jenkin's Ferry, the 40th did its whole duty and won well-earned laurels, so in this instance, with a determined enemy in front the regiment would have shown by its losses and by its deeds that Iowa soldiers can dare and do all when their country throws them into the deadly breach.

While near Vicksburg Col. Garrett received the tidings from his wife, of the death of his little daughter, Minnie. His letters written at this time, while they show the most tender affection as father and husband, yet show a resignation to the stern necessities of his situation, and a realization of the fact that in the heart of the patriotic soldier, when the hour of the country's need comes, then everything, even to life itself if need be must be given up that the sacred cause of our country, of truth and of liberty may live forever. This spirit in our volunteer soldiers in the late war made our army invincible, and glorious in history, and scattered the portentous clouds of evil, that so long were gathering their blackness over our country and threatening ruin to it and the loss of liberty for ages to mankind. After the capture of Vicksburg Col. Garrett came home on a short leave of absence, his family still being afflicted with sickness. At the end of his furlough, still acting from that stern sense of duty which has ever marked his career as a man and especially as a soldier, he returned to his regiment, leaving (as he supposed) his only remaining daughter (little Annie) on her death-bed. A kind Providence, whose over-ruling hand the Colonel has always recognized, saw

fit to dispense otherwise, and little Annie still lives—the light of the Colonel's pleasant home. Again in Sept., 1864, he received at Little Rock news of the death of his only son, an infant a year old.

The regiment wintered at Little Rock, no important events happening during the winter. During this time the regiment was drilled and disciplined into most perfect condition. The camp was a model for order, beauty and cleanliness. The Colonel on going into camp issued an order for weekly inspection, making grade depend on the condition of the barracks, streets, kitchen, cooking utensils, arms, &c.—from 2 to 6—poor to perfect. An average was struck for each company. A report in writing was read each Sunday evening on Dress Parade—especial mention being made of the highest and lowest companies. The means thus used to promote the efficiency of the regiment were attended with wonderful success. Lieut. Col. Vollum, Gen. Cauley's Chief Inspecting Officer, visiting the camp of the 40th with Dr. Cornell, sent word to Col. Garrett:—"Tell the Colonel he has the finest regiment I have seen."

In January Col. G. sat on Military Commission with Gen. Thayer and Capt. Rice, of Minnesota, both of whom have since been U. S. Senators. Many important cases were tried by this Commission.

On the 23d day of March, 1864, Gen. Steele's army left Little Rock on the noted Camden expedition. The 40th went out with 375 enlisted men and 10 commissioned officers. On the 15th of April the army reached Camden. On the 3d at Okalona, and again on the 10th at Prairie D' Anne the enemy had attacked our army, and it was the fortune of the 40th to take a prominent and praise worthy part in both engagements,—driving the enemy before them—losing two wounded at Okalona and Prairie D' Anne, one mortally wounded, and six wounded more or less severely;—three were missing on the route.

The stay at Camden was very short, Gen. Steele receiving

word of the disaster to Bank's army. The retreat began at dusk on the 26th, the 40th as part of Gen. Englemen's brigade bringing up the rear of our army. This retreat, with the battle of Jenkin's Ferry, forms a memorable part of the record of our armies. During the war no more heroic fighting was done, and the resolute endurance by the troops of the privations and labors and fightings of that march was wonderful. On the morning of the 29th the rear of our army marched out of Princeton. About noon the troubles of the retreating army began to thicken. For days there had been no rations of bread, foraging was profitless; coffee was the food and drink of the army, and now to add to the difficulties of the retreat, rain set in, and the enemy, who by this time was rapidly bringing up his forces, attacked the 40th on both flank and rear. The fighting continued until the regiment came up with the advance in Saline bottom. Here four companies were deployed who engaged the enemy until dark. Every soldier of these four companies kept most vigilant watch during the night. At daylight the 40th was relieved by the 33d Iowa, and moving forward about a mile took a coffee breakfast. In about an hour the enemy moved in force down the hills and began the

BATTLE OF JENKIN'S FERRY.

This battle was fought in a swampy bottom. The rain had poured down during the previous night, and all day during the battle the men fought in mud and water to their knees, the ammunition being brought to the front on horse-back, and the boxes opened with the bayonets of the soldiers. Heavy timber covered the bottom, and but a narrow, bottomless road led through it to the river crossing. The rebels were in front in overwhelming numbers. The losses of the combined armies in the battle were over 3,000—the rebels admitting a loss of 2,300.

Of the four companies engaged under Col. Garrett—less than 100 men—six were killed—34 were wounded and four

were taken prisoners while attending the wounded.—Total 44! The heroic valor of this small remnant of the 40th saved our army from probable utter defeat and our cause in the South-west from a disaster fearful to contemplate. In this battle when ordered to reinforce the left Col. G. found a panic fairly begun, and seven companies of men from one regiment retreating in disorder. But he not only led his own regiment; afterwards finding the 12th Kansas without a field officer, and hesitating and taking a feeble part in the battle he led it forward, and with the combined forces victoriously drove the rebels before him. It was after this battle that the boys of the 12th in compliment to the Col. said "if they had Garrett for their Colonel they would iron-clad him."

We quote from Col. G's report of the battle as follows:

"HEAD-QUARTERS 40TH IOWA INFANTRY VOL., }
LITTLE ROCK, ARK., May 6, 1864. }

CAPT. WM. E. FAY, A. A. A., *G. 3d Brig., 3d Div., 7th Army Corps:*

SIR: I have the honor to submit the following report of the part taken by my regiment in the battle of Jenkin's Ferry, on Saturday, the 30th of April, 1864.

On the march, on the 29th, my regiment was in the rear, and was exposed to the fire of the enemy for miles before reaching camp; after which time, besides the usual picket detail, four of my companies were deployed as skirmishers, and were engaged at intervals with the enemy till dark, and during the entire night the most vigilant watch was kept by every officer and man of these companies. At daylight we were relieved by the 33d Iowa, Col. Mackey, when I moved my regiment forward a mile and halted in the edge of an open field, facing our late rear, my right resting on the road. About 7 o'clock firing commenced, and steadily grew warmer, and came closer, till it became evident the enemy was advancing in force, determined to give battle. At 8 o'clock, by direction of Col. Engelman commanding brigade, I threw out Companies B and F, under Captain Campbell, to the left and front as skirmishers. They moved into the woods some distance to watch, and if necessary engage the enemy.

By direction I now moved my regiment forward to within a short distance of the advance line now engaged with the enemy, my right resting on the road. In a few minutes, as directed, Major Smith, with the

four right companies, crossed the road, leaving Cos. A and D, under Lieut. Anderson, to support a section of Capt. Vaughn's battery, occupying the road.

The Major moved Cos. C. and I across a narrow, deep stream, passed over an open field, and deployed them in the woods to observe, and if opportunity offered, engage the left flank of the enemy. Col. Engelman now directed me to move to the left and front with my four companies, H, E, K, and G, and form on the left of our forces now engaged, as they were hard pressed. As the most expeditious, I moved by the left flank. At this time, so great a number from our engaged line were retreating in disorder and haste, it looked almost like a panic. On nearing the left of the line, a force as large or larger than my own was retreating in line. Arriving near where the left of this retiring force had rested, I filed to the left, then moved to the front, till, a little in advance of the line on the right, I halted and opened fire. While getting in position the fire of the enemy was pouring on my little command, and now we were not only on the extreme left, but some distance from the left of the line on the right. In a short time I moved my companies forward and to the right, joining some companies of the 27th Wisconsin, which also advanced, and of which the officers and men were doing their whole duty. The line now advanced, making short halts, then moving forward. After advancing a short distance, we began to pass over the enemy's dead, and my men moved right on with a shout, pouring in a well-directed fire on the retreating enemy. The line having advanced a half mile or more, the fire of the enemy ceased, and a halt was called. About this time the 12th Kansas came up on my left. My men who were out of cartridges now supplied themselves from boxes brought on horseback, which they opened with their bayonets. The Col. of the 12th Kansas having been wounded, the Captain commanding fearing a flank movement on his left, fell back some two hundred yards.

After half an hour's lull the enemy, with heavy reinforcements moved up in close range, and opened fire again. Our whole line now become engaged, and firing on both sides was heavy, some say terrific. My little command was under a cross fire, receiving, I think the concentrated fire of two regiments, which, having moved by the flanks, met and formed directly in my front. My men were falling fast, but held their ground, not yielding an inch. I sent for the 12th Kansas to come up on my left; it moved, but halted fifty yards short of the line and opened fire. I went back and moved it up in line, when it poured a splendid

volley right into the ranks of the enemy, and thus relieved, in part, my command from the terrible fire which was wasting it so fast. This last engagement lasted about an hour, till half past 12 o'clock, when the enemy fell back, and then withdrew, leaving our little army in possession of the field. I lost out of less than one hundred men, six killed, thirty-four wounded, (many severely, some mortally), four captured and one missing; a full list of which has been reported.

In common with officers and men, I regret that all my companies could not go into the engagement together. I may here state that my men had drawn no bread for five days; that they had a coffee supper on the night of the 29th, and a coffee breakfast on the following morning, some getting a little meat on the morning of the battle.

It rained almost a flood during the night of the 29th and the morning of the 30th. The battle was fought in Saline bottom, which was covered by a heavy forest; mud, mire, and sheets of water were everywhere.

My men fired from sixty to one hundred rounds each. N. R. Cornell, my Surgeon, did all in his power to care for the wounded. Lieut. Baird was wounded while fearlessly doing his duty in the hottest of the fight. My Color-bearer, Mortimer W. Nelson, as brave a man as ever bore a flag, was shot in the shoulder and fell. Out of four, two Color-guards—Corpls. Davis and Bare—fell, severely wounded; and I regret to say, Davis was left on the field. Lieut. Amos commanded Co. H, Capt. Sennet Co. E, Lieut. Christie Co. K, and Capt. Jordan Co. G. Officers and men fought with the cool determination of veterans, and with the desperate valor of men appreciating that all was at stake on the result. One noble Sergeant, Simmons, of Co. H, was shot in the breast. When his Lieutenant told him the enemy was beaten, he waved his hand and died with a smile.

Very respectfully, your obedient servant,

JOHN A. GARRETT, Colonel commanding."

Gen. Engleman in his report of the battle says: "I must here express the high obligations which I am under to Col. Garrett and Lieut. Col. Dengler for the gallantry with which they led their commands, being conscious, however, that nothing I can say can afford them the satisfaction they must have experienced in witnessing the bravery of their men."

This battle having ended the pursuit of our army by Kirby

Smith, the weary, muddy march was resumed, and after several days of endurance and sufferings, borne with fortitude worthy of men who had fought so heroically, the army met supplies when nine miles from Little Rock, and were soon back in their old camps. During the winter following Col. G. had part of the time command of the post, and most of the time command of a brigade.

During the next six months detachments from the 40th were sent out on many important enterprises. In February, 1865, the regiment moved to Fort Smith. Here Col. G. again commanded a brigade numbering 5,000 men. Gen. Bussy in command there having sent for a "first-rate regiment," the 40th had been sent. Shortly afterwards, Major General Blunt, having been relieved from the command of South Kansas, Col. Garrett was assigned to the command of that district, and in the administration of its affairs again won golden opinions from those around him. Perhaps the Colonel never received a higher compliment than was paid to him by the Cherokee Legislature, as shown by the following:

To COL. GARRETT, Commanding at Fort Gibson, Cherokee Nation, and the officers and soldiers of the Fortieth Iowa Volunteers:

GENTLEMEN:—I am instructed to present to you the following resolutions, written in Cherokee, of which the following is a translation:

Let me say to you, and your officers and soldiers, that these resolutions are not merely complimentary: When the war commenced the Cherokees had a population of twenty-four thousand: enjoying all the comforts of life in this rich and beautiful land. Of this population eighteen thousand adhered to the Union and six thousand to the Rebellion. The Union population, by the fortunes of war, were, in the winter 1862 and 1863, driven North and lost by disease, exposure and starvation, six thousand of their number. The Cherokees furnished to the Union Army two regiments of soldiers, whose character as soldiers you well know, being every efficient man in their midst that had not gone South, and a larger proportion of soldiers to their numbers than any State in the Union. When these regiments were fighting with Price in Missouri, Kansas and Arkansas the Cherokee Nation was invaded by an army of thieves from the North, many of them civil and military officers

of the United States, and soldiers wearing the uniform of the Union, and by them one hundred thousand head of cattle and fifteen thousand head of horses were stolen, and public and private houses plundered of their furniture, and whole trains of U. S. wagons were laden with the booty and sent North; and these outrages were carried to such excess that the U. S. Agent remarked in his report that the damage done by Union soldiers and men was equal if it did not exceed the outrages of the Rebels.

This conduct was approved of by many of the officers, and the probability is that the furniture stolen from our public schools and private houses now graces some of these officers' homes.

Since the Fortieth Iowa has been in command here thieving has been unknown by a soldier or officer, and order has been preserved and the people treated with kindness and respect.

J. W. WRIGHT, Att'y of Cherokees,
Washington, D. C.

At a meeting of the Executive Council of the Cherokee Nation, at Fort Gibson, July 31, A. D., 1865, these resolutions were submitted and unanimously adopted:

Resolved,—1ST. That the thanks of the Cherokee people be tendered to the officers and soldiers of the Fortieth Iowa for their correct deportment while in our midst, and we wish them a safe return to their families and friends; and we shall always remember them as the friends of our nation, and as a pattern for Union soldiers.

—2ND. That the Adjutant of the Fortieth Iowa cause this resolution to be published in the papers of Iowa.

LEWIS DOWNING, Acting Chief.

Col. G. retained this command, embracing all of the Indian Territory and part of Kansas, until on the 2d of August, at Fort Gibson, the regiment was mustered out of the service and started for home. It lacked but four days of being four years of service for the Colonel when he reached home. Just before the regiment left Fort Gibson Gen. Bussey issued the following general order:

HEAD-QUARTERS, 3D DIVISION, 7TH ARMY CORPS, }
FORT SMITH, ARK., July 28th, 1865. }

SPECIAL ORDERS, No. 124.—Extract.

IV. In view of the early departure of the 40TH IOWA INFANTRY for their homes, the General Commanding cannot refrain from expressing

to the officers and men of that regiment his high appreciation of their faithful performance of every duty, and their superior discipline while connected with this Division, and his gratitude for the cordial support they have given him in his endeavors to carry out the policy of the Government.

The officers and men of the 40TH IOWA have honored the positions they occupy, and have earned the highest meed of praise that can be bestowed upon the brave men of our army. For three years you have served your country, and enjoyed the proud satisfaction of witnessing the triumph of our arms, and the vindication of the principles of free government. You will soon return to your homes, and have merited and will receive the gratitude of the nation. That you may be as good citizens as you have proved to be soldiers is the earnest wish of your last commander.

By Command of Brig. Gen. CYRUS BUSSEY.

To COL. JOHN A. GARRETT, Com'd'g 40th Iowa Inf.

H. D. B. CUTLER, A. A. General.

Col. Garrett is about six feet in height, slender, of fair complexion, well-featured,—has an intellectual brain rather than one where passion predominates. While not robust in build he has great power of endurance, backed by a resolute will. He is governed in his intercourse with men by a high sense of honor; and is gentlemanly and courteous to all. He has a great contempt for that which is mean and tricky, and holds in high esteem men whom he finds to be governed by pure and noble motives in their lives. He uses neither liquors, tobacco, tea nor coffee. He loves good literature, and in literary and school matters takes an active interest. He loves home and family and friends with more than ordinary strength. He lives at this date in Newton, where he has been engaged in business since the war. Those who know him best hope that his days may be long, and that he may spend them in our community. He has served his country well; may he enjoy her protection and receive her gratitude for many years to come.

NEWTON, IOWA, Dec. 24, 1870.

MUSICAL CONVENTIONS.

BY PROF. H. S. PERKINS.

The statistics of Musical Conventions in Iowa which we have thus far been able to collect, may not be very complete, but the following is the most accurate data at our command. Should it be found incomplete, any and all interesting facts which may be forwarded to the writer, at Iowa City, will be thankfully received and embodied in another article under the above head.

Further, by way of introduction: Musical Conventions, or assemblages of musical people, usually continue four or five successive days. Occasionally they are protracted two weeks, and, in a few instances, from three to four weeks. Yet the protraction of a series of daily exercises for instruction in music, beyond one week, does not, strictly speaking, or in accordance with the general custom and understanding, come under the head of "Convention."

However, we shall not be thus strict in drawing the line of demarkation, as the design of this article is to give as full and complete a summary of "musical doings" as we may with our present information, and which may be consistently included in a history of Conventions or musical gatherings. We may also add, by way of preface, that Musical Conventions in this country date back to 1829—the first being held at Concord, N. H., in that year. These organizations have been effected in nearly all the States of the Union, and Conventions have been held with varied success,—principally in the northern States, however. The climax of these efforts was reached at the National Musical Festival and Peace Jubilee held in Boston, in June, 1869; on which occasion 10,600 singers, 1,078 instrumentalists, and a large organ, constructed for the occasion, discoursed in the most perfect and successful manner, some of the grandest Oratorio, Chor-

uses and Chorals ever composed by the old masters, and to an audience ranging from 25,000 to 40,000.

It is a very natural sequence that these public educational efforts should find the proper elements in which to propagate and thrive in these Western States, which are made up of the active, thriving, go-ahead people of the Nation.

Of this class, who are alive to the best educational interests of the people, Iowa is not a whit behind. Her public and private institutions; the immense outlays in the erection of suitable buildings, commodious and attractive in architecture, not excelled by any other State, in which to educate the youth, and the broad, expansive views adopted in providing for the free education of both sexes, prove this to a demonstration. With such a people and such resources as Iowa possesses, a branch of education so important in its details, so potent in its influence for good, and so universal in its application will not long be neglected.

Of the one hundred counties in the State the following are known to have organizations for the express object of holding Annual Conventions. There may be others: Boone, C. C. Hotchkiss, Pres't.; R. J. Crary, Sec'y. Dallas, J. H. Strong Pres't.; E. M. Cotton, Sec'y. Davis, Rev. R. Dodd, Pres't. Cedar, A. N. Kirk, Pres't. Iowa, Wm. A. Patrick, Pres't.; J. N. W. Rumble, Sec'y. Keokuk, J. A. Donnell, Pres't.; J. M. Adams, Sec'y. Louisa, B. F. Coe, Pres't. Marion, J. B. Cotton, Pres't.; C. C. Cory, Sec'y. Marshall, Wm. East, Pres't.; Jas. H. Roe, Sec'y. Story, John R. Hays, Sec'y. Woodbury, L. W. Stewart, Pres't.; Rev. Geo. B. Pratt, Sec'y. Clinton, Rev. J. G. Cowden, Pres't.; J. K. Kinney, Sec'y. In addition to the above is the "Iowa Central Musical Association," with Rev. S. N. Fellows, Pres't.; A. B. Cree, Vice-Pres't.; Sam'l. Welch, Sec'y.; C. F. Clark, Treas'r. Also the "Iowa State Musical Association," with J. B. Cotton, Pres't.; H. S. Perkins, Sec'y; and S. L. Waide, Treas'r.

The following chronological order of Conventions date from 1851 up to 1870: In the winter of 1851 a successful

Convention was held at Muscatine, conducted by Wm. B. Bradbury, of New York; One was held at Burlington, in Oct. 1856, conducted by Wm. B. Bradbury; at Lyons, Nov., 1856, conducted by C. M. Cady, of New-York, about one hundred singers in attendance; at Lyons, 1858, conducted by L. W. Wheeler, of Boston; Iowa City, in the fall of same year, the first Convention, conducted by J. Wm. Suffern; Iowa City, in 1860, conducted by Geo. F. Root; Muscatine, in the winter of 1862, conducted by Wm. B. Bradbury; Iowa City, in Nov., 1863, conducted by Geo. B. Loomis; Iowa City, in the fall of 1864, conducted by J. F. Fargo; Clarence, in January, 1865, conducted by Mark M. Jones, with a chorus of fifty singers; Des Moines, in March, 1865, conducted by V. C. Taylor, of Brooklyn, N.-Y.; Winterset, first Convention in Madison county, April, 1865, conducted by Mr. Taylor; Davenport, in the fall of same year, conducted by J. F. Fargo; Clinton, in October, same year, conducted by S. L. Coe; Cedar Rapids, in the fall of same year, conducted by J. F. Fargo; Muscatine, in Dec., 1865, conducted by J. F. Fargo; Iowa City, in the winter of same year, conducted by Mr. Fargo; Keokuk, same season, conducted by E. C. Kilburne, of Ashland, Ohio; New Oregon, fourth week in June, 1866, conducted by James Whitney, of Boston, sixty singers in attendance; Muscatine, in Nov., 1866, conducted by J. F. Fargo; Columbus City, in the fall of same year, conducted by E. A. VanMeter; Iowa City, in Nov., 1866, conducted by H. S. Perkins, of Boston; Muscatine, in Oct., 1867, conducted by H. S. Perkins; McGregor, week of Nov. 18th, conducted by L. O. Emerson, of Boston, with a fine chorus of one hundred and fifty singers; Marshalltown, week of Nov. 24th, conducted by H. S. Perkins; Grinnell, week of Dec. 2d, by Mr. Perkins, with a fine chorus of eighty-five voices; Newton, week of Dec. 9th, conducted by Mr. Perkins; West Union, week of Dec. 29th, conducted by Mark M. Jones, a chorus of fifty-five members; Knoxville, same year, first Convention of Marion county, conducted by J. B. Cotton, of Pella; Iowa City, week

of Jan. 6th, 1868, the first Iowa Central Convention, conducted by H. S. Perkins; Elkader, Clayton county, week of Jan. 6th, with forty members, conducted by Mark M. Jones; Belle Plaine, in Jan. under the leadership of H. R. Palmer, of Chicago; Clinton, week of Feb. 17th, conducted by H. S. Perkins; Waterloo, in same month, conducted by Geo. F. Root, of Chicago, a large chorus in attendance; Adel, week of April 19th, a fine chorus of ninety members, under the direction of H. S. Perkins; Vinton, same season, conducted by H. R. Palmer; Muscatine, in Sept., conducted by J. F. Fargo; Adel, week of Nov. 4th, by H. S. Perkins, a fine chorus of one hundred; Western (College), week of Nov. 23d, conducted by H. S. Perkins, with seventy-four members; Cedar Falls, fourth week in Nov., conducted by Geo. F. Root; Wappelo, week of Dec. 7th, by the same; Tipton, week of Dec. 14th, by Mr. Perkins; Pella, week of Dec. 28th, with a membership of eighty, conducted by Mr. Perkins; Sioux City, first Convention of Woodbury county, the week of Jan. 18th, 1869, under the direction of H. S. Perkins; Belle Plaine, week of Jan. 25th, conducted by H. R. Palmer; Wilton, the week of Feb. 8th, conducted by H. S. Perkins; Mt. Pleasant, in Feb., conducted by V. C. Taylor, of Des Moines; Anamosa, same month, conducted by Geo. F. Root,—there was a large attendance; Bloomfield, first Convention of Davis county, week of Feb. 22d, conducted by H. S. Perkins, with a membership of ninety; Cedar Rapids, week of March 26th, conducted by Mr. Perkins; Indianola, first Convention of Marion county by the same; Montana, first Annual Convention of Boone county, conducted by H. S. Perkins; Marengo, week of May 23d, first Convention of Iowa county, conducted by Mr. Perkins; Nevada, same month, first Convention of Story county, under the direction of the same; Iowa City, week of July 25th, first Convention of the "Iowa State Musical Association," conducted by H. S. Perkins; Belle Plaine, in Sept., 1869, conducted by H. R. Palmer; Columbus City, fall of 1869, conducted by E. A. VanMeter, of Burlington; Ft. Dodge,

week of Oct. 4th, conducted by I. H. Bunn, of Cedar Falls; Sigourney, first Convention of Keokuk county, week of Dec. 21st, conducted by H. S. Perkins; Knoxville, third Annual Convention of Marion conducted by the same.

Considering that this is, comparatively, a new section of the country these Conventions have all been attended with an encouraging degree of success.

BEFORE AND AFTER THE TERRITORIAL ORGANIZATION OF IOWA.

BY HAWKINS TAYLOR, WASHINGTON CITY.

When the Territory of Wisconsin was organized, in 1836, almost one-half of the population of the Territory was in the counties of Des Moines and Dubuque, west of the Mississippi. In Governor Dodge's proclamation ordering an election for a delegate to Congress and members of the Legislature, he gave Des Moines county three members of the Council and Dubuque three, and Des Moines six members of the House and Dubuque five, being six of the thirteen members of the Council, and eleven of the twenty-five members of the House west of the Mississippi. At that election party politics had little influence on the voters, the election turning on the local and personal popularity of the individual candidate. Almost every settlement had a town of its own, and a new county mapped out that made their town the center, and that *must* be the county seat. Nothing as they felt was needed but to elect the right sort of men to the Legislature. Burlington elected Kinnie then, as "Flint Hills" was the first point settled west of the river, and was the principal town in the southern part of the Territory. At that time more than half of the population of Des Moines county of that day was inside of the boundaries of the present Des Moines county. That fact,

and the multipliety of candidates on the Des Moines river and other parts of the county, resulted in the election of all the Councilmen and three of the members of the House in and near Burlington.

Col. Ingraham was a farmer, an old ex-member of the Virginia Legislature, a man of character and ability. Jeremiah Smith, farmer and merchant; the wealthiest man in the county at that time, and a whole-souled, generous man of the largest enterprise. But whisky finally gained the victory over him, as it has done in all of its conflicts; yet there are plenty of noble, valient men come in so noble a State as Iowa, still fighting the same unequal battle,—a battle in which there can be no honor or credit, but always disgrace, and death if the battle is long enough continued; Maj. I. B. Teas, a lawyer of more ability than energy, to the counsil, and Shepherd Lefen, a lawyer of ability, and a man of high character, who had also been a member of the Virginia Legislature several times. Dr. G. W. Teas, of Augusta, then and now, I believe, a Methodist preacher. The Doctor has done a good many things, but was always a man of decided ability, and earnest in what he did. During the session of the Legislature in the winter of 1837 and 1838 he took offense at the action of some of the brethren in the Legislature, and smarting under the supposed insult, he published in the Burlington *Gazette*:—

“Be it known from shore to shore,

That I'm a Methodist no more.

G. W. TEAS.”

A few years later he again joined the church, and went to preaching in good, square, hard earnest, when some one had it published:—

“Know ye from Georgia down to Maine,

That I'm a Methodist again.”

And he has been faithful and true since.

David Chance, a Campbellite preacher, as rough as a bear, but a man of ability, and great activity and earnestness.

John Rig, a farmer near Fort Madison, also a Campbellite, and when he joined the church he was baptized face the foremost, saying that he never did any thing backwards. Dr. Reynolds, of Bloomington (now Muscatine), and Dr. W. L. Judkins, of Mount Pleasant, were the members of the House.

This Legislature met at Belmont, a town owned by John Atchinsons, of Galena, Ill., a relation of the Governor. The town, what there was of it, was made for that purpose, and died at the end of the session, with none but Atchinson to mourn its loss. The people of what is Iowa now wanted the Legislature convened at Dubuque, and there was much ill feeling against the Governor at the appointment of Belmont. There probably never was a Legislature met at any place with poorer accommodations than this Legislature had at Belmont. The position of the locality of the seat of government for the Territory was the all absorbing question with the Legislature. I. Duane Doty, who could stand anything but being the Governor of the Mormons (that killed him), represented the interests of Madison, the present capital of Wisconsin, then a wild wilderness, barely mapped out on paper. Doty supplied himself with a full stock of buffalo robes, and went around camping with the members, and making them as comfortable as he could, until he organized a sufficient vote in the Legislature to make Madison the permanent capital, and Burlington the temporary capital, and carried the project through the Legislature, much to the disgust of Dubuque. The winter was a cold, dreary one, and Doty, with his buffalo robes, had been a real blessing to the members, and he also accommodated them with town lots in the new, wild, uninhabited town of Madison. Lots were then plenty, no doubt. Each of the Des Moines county members came home the owner of from twelve to forty. Other officials got what they wanted. Lots were then very plenty and cheap in the Territory.

In accordance with the pledge given by the members from Des Moines county conditional on the establishment of the

temporary seat of government at Burlington, Jerry Smith built a very suitable building on Front or Water street, near where Sunderland's mills were afterwards built. The building at that day cost Iowa eight or ten thousand dollars, and was well adapted to the wants of the Legislature, which met in Burlington the 1st of Nov., 1837. At that time there were no railroads; the entire carrying trade was by water or wagon, and both were expensive. Early in the fall of 1837 the river filled with floating ice, but it was late in the season before the ice blocked so as to stop navigation. The result was, that each thaw would bring boats up from below until late in December. At that day steamboats wintered where they froze up along the shore. Some winters there would be a dozen or more frozen up between St. Louis and Galena. There was then great rivalry among steamboat men, in their boats being the first to Galena in the spring. A little after dark a boat came in one night, and before she had made fast at shore some one on board sung out that a mob at Alton had killed the "Abolitionist, Lovejoy," and destroyed his press. To this announcement there was a cheer of joy sent up from the crowd on shore, in which almost all joined, and no man then in that crowd would have dared to condemn that mob. There were many, and probably a majority present who condemned the act of the mob, but the *rough pro-slavery sentiments* of the day over-awed all opposition.

That same night, a few hours later, the new capitol took fire and burned down. There was no insurance on the building. The government afterwards paid, or meant to pay the owner for the building, but Jeremiah Smith, the uncle of the owner, went to the Treasury Department and signed his own name, and also the name of the owner of the building, and drew the ten thousand dollar draft, endorsed it, and got the money on it and kept it. I believe it was sharp practice, but he only signed his own name, as he truly stated.

After the fire the House of Representatives met over the

store of Webber & Remy, and the Council in a small building near by.

The winter was long and cold, and the Secretary ran out of money and had to send a sleigh to Milwaukee for funds; in the meantime he borrowed seven or ten thousand dollars of John S. David. John was salt agent for the Kanawha Salt Company, at that time, and salt had sold as high as seven dollars per bushel the winter before, making the owners of salt rich, if they had salt enough. Fitzpatrick & Co., of Fort Madison, had all the salt there was below Skunk River, and farmers along the Des Moines River would club together and send forty, fifty, and sixty miles for salt, and then pay seven dollars per bushel for it. Very little salt was used in mush that winter, I can tell you. The ice that winter could justly be charged with putting a high tariff on salt. It was not Fitzpatrick & Co., for they were both free trade democrats. This was worse than the present tariff.

The Legislature the winter before had established the counties of Lee, Henry, VanBuren, Slaughter (now Washington), Louisa, Cedar, and Muscatine, out of Des Moines, and located the county seat of Lee at Fort Madison, VanBuren at Farmington, Henry at Mt. Pleasant, Louisa at Wapello, and Muscatine at Bloomington (now Muscatine). During this session there were active delegations at Burlington, asking for a change of county lines and county seats in almost every county in the Territory. West Point in Lee was represented; and each town in Van Buren county, from Farmington up to Black Hawk, had representatives on hand that could promise that their town was the *very spot* for the county seat, and there was at least half-a-dozen more towns then than now on the river, in that distance. E. Cook was there urging the location of the county seat of Scott at Rockingham; and Captain Clark, of Buffalo, was there urging the division of the county, and making one county seat at Buffalo, and the other at Winfield, above Davenport; and I will say here that I think there was about as much talk with the outsiders, then

and there, at that day, as there is now at this great capital. A fourpence at that time, was more than a gold piece is now with operators. There had then been no great war to expand the people's mind. It was understood even then, at that day of integrity, that a consideration would help to grease the wheels of a county seat, and make them roll easier. A bill was finally passed changing the county seat of Van Buren to Rochester, the county seat of Muscatine county to Geneva, and some other changes almost as bad. The bill was so bad that Governor Dodge vetoed it, and the speculation failed, but not without some good, square, tall swearing. During the consideration of the Scott county subject and county seat bill, Quigley, a member from Dubuque had Captain Clark, of Buffalo, in that county, arrested and brought before the bar of the House for contempt. Clark was one of the Governor's captains in the Black Hawk war, a first class fighter, and a great pet with the Governor, and Quigley was not. When the Governor heard of the arrest he was wroth in the extreme, and I have never heard a finer specimen of clear, square, Anglo-Saxon swearing in my life than came from the Governor; it was never excelled by General J. B. Brown I think, and that is saying all that can be said in its favor to an old settler. Clark was honorably discharged. Old Governor Dodge was too honest a man not to be a christian, I am sure; he knew nothing of deceit or deception, but he always used Saxon language when in earnest.

During the fall of 1837 the subject of dividing the Territory was agitated. The following notice was posted in Lee county. Henry Enos, a lawyer at Fort Madison was the author :

COUNTY MEETING.

A County Meeting will be held at the house of C. L. Cope, in the town of Fort Madison, on Saturday, the fourteenth of October, next, at one o'clock, p. m., for the purpose of choosing three delegates to meet in Convention at Burlington on the first Monday of November, next, to take into consideration the expediency of petitioning Congress for a

division of the Territory of Wisconsin, and the organization of a separate Territorial Government west of the Mississippi. Also the attempt making by the State of Missouri to extend her northern boundary line, and to call the attention of Congress to the necessity of granting pre-emption laws to actual settlers, and for other purposes.

Dated September 23d, 1837.

In pursuance of that notice, Henry Enos, Philip Viele (I think), and Hawkins Taylor were appointed delegates. The Convention met at the time and place named, the attendance was very full, and the action of the Convention harmonious. They asked Congress to organize a Territory west of the Mississippi; to give the settlers a pre-emption right to their lands, which then meant give them two years' credit in paying for these lands; no one then thought of asking free lands, as now; and also that the boundary question between Missouri and Wisconsin be settled. The Legislature, then in session, united in the same general petition. In answer, Congress that winter organized the Territory of Iowa, to date from May 3d, 1838.

To-day I met my old friend Judge Kilpatrick of Mt. Pleasant. As we always do, when we meet, we talked over *old times in Iowa*. I said "what a contrast between then and now." "Yes, a great change, but is it for the better?" said the Judge; "at that time every body's door latch string was out; no need of locks and bolts to keep rogues or your neighbors from coming in. If you wanted your neighbor's assistance you got it and paid it in kind when they needed your assistance. If you wanted to visit your friends back in Illinois, Indiana, Ohio, or Kentucky, you put all of your family in your wagon, took your dog and gun and started, and when your visit was ended you came back, and your main expense was ferriage. If you wanted to go and attend to business off from home, you got on your pony and went, at an expense of about fifty cents per day; and when you stopped over night you got something to eat that was fit to eat. Now, if a man were to start off on a visit to any of these States with his

family by wagon, he would be put in an Insane Asylum ; and if you travel you must travel like lightning, and if you get anything to eat you must get it running, and pay four prices for what you get, besides running the risk of its making you sick."

I leave the reader to answer the Judge. I think my feelings are with him, but the thing has now got too big for us old fogies; we can't remedy it; Young America has got possession. But the innovation on the good old-fashioned singing of that day is beyond endurance. If I was a young man, and the man could be found that first invented these hieroglyphical crooked marks that people look at and squeal at now, in place of making christian music, such as the good old Zion tunes of that day, it would not go well with him. I think that I should make him squeal and toot the balance of his days to bats and mice, as an audience. I tell you I would walk a long way to attend one of those old-fashioned camp meetings and hear the good old Zion songs sang as then.

RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTH-WESTERN IOWA.

BY N. LEVERING, GREENWOOD, MISSOURI.

(Continued from page 362.)

On the 15th day of April, 1857, a party of real estate agents, residents of Sioux City, consisting of C. E. Hedges, J. W. Bosler, S. Montgomery, and N. Levering, accompanied by R. Stafford, who acted in the capacity of teamster and

cook, left on a tour through the counties of Plymouth, Sioux, O'Brien and Clay, in order to examine the lands carefully, so that they might be able to make judicious investments for their customers at the coming land sales in the May following, at Sioux City. Fully equipped with ample provisions and camp equipage, they left Sioux City, taking a meandering course among the bluffs of the Big Sioux river to the "Broken Kettle," a small tributary of the Sioux. We experienced much difficulty in fording this stream on account of its extremely muddy banks and high waters. Before attempting to cross with the wagon it was deemed most prudent that one of the company should first cross over on a horse to feel the way; accordingly, I mounted one of the horses and ventured in. On arriving at the opposite bank my animal came near miring down, and in his vigorous efforts to extricate himself from the mire and clay, and place his feet on more reliable terra firma, he made a plunge, precipitating me, to my own discomfiture, full length in the mud, to the great amusement of the crowd, who shouted "bull frog!" "mud turtle!" &c., while I was forcibly reminded of the fable of the boys and frogs; while it was fun for them it was death to me.

"Broken Kettle" received its name from the following circumstance: Some years prior to the settlement of the North-West, a party of French traders met a band of the Sioux Indians on the banks of this stream for the purpose of trade and barter, when they presented the Indians with new camp kettles, where upon the Indians broke their old kettles into pieces, from which time the stream was called "Broken Kettle." Here we left the bluffs and entered the rich and delightful valley of the Big Sioux, a most charming country. A short distance above the "Broken Kettle" we found Mr. Mills, (spoken of in a former article) who had built a cabin, and was opening out a farm. He was a young man, short, heavy set, "with a small chance of legs," and remarkable energy. It was but a few years after when Mr. Mills had a large farm opened, and in a good state of cultivation. He had

living with him at the time a German and wife by the name of Klinetoph, who kept house for him. They had not acted long in this capacity when little, irrepressible Cupid drew his bow with unerring aim on the heart of Mills. An improper intimacy was soon the result between Mills and Mrs. Klinetoph, which after a time became visible to the vision of her liege lord, who demurred and bitterly remonstrated with the truant wife of his bosom, who now had become infatuated with her second love, and turned a deaf ear to the entreaties of her legal spouse to quit and surrender the premises and return with him to Sioux City—forget the past, and renew their plighted vows as when he wooed and won her. Klinetoph returned to Sioux City in great distress of mind, not knowing what course to pursue. In the mean time the guilty pair, fearing that the strong hand of the law might grapple them, came to Sioux City also. Mrs. Klinetoph took lodging at one hotel and Mills at another. While Klinetoph kept an eye on their movements night and day as intently as a lion watching for its prey, his worst conjectures were soon realized. One evening, soon after night had drawn her sable curtains over the face of nature, and as the gentle moon emerged from the eastern horizon, shedding its soft rays through the fleeting clouds, the injured husband might be seen crouching behind a pile of wood near the hotel, in a feverish state of excitement, watching the movements of the enemy. He had not lain thus intrenched long when his suspicions were fully confirmed on seeing the enemy cautiously approaching the breastworks and enter a back door of the hotel, which opened into a small room occupied by the faithless frow. The feelings of the injured husband can better be imagined than expressed, as he leaped from his hiding place with eyes flashing vengeance, and a heart panting for the blood of his enemy. He bounded toward the house, muttering to himself vengeance upon the destroyer of his peace. On approaching the house he cautiously crept up under the window, where he could distinctly hear the conversation of the guilty pair, plighting

vows of love, &c. "I bees no longer able to stand such tings," said K., as he leaped through the window with the fierceness of a Bengal tiger, and to the great consternation of the enemy, who were disrobed for the night. Seizing him by the throat with one hand, while the truant wife grappled the other, a severe struggle ensued for a short time, when Mills released himself and bounded out of the door and down the street like a quarter-horse. Klinetoph wrenched himself from the grasp of his faithless spouse, and was soon seen in hot pursuit—Mills leading the way, with the extremity of his linen fluttering in the breeze, while his short legs were fully brought into requisition, and did good service. Close in his rear was a practical illustration of the "flying Dutchman."

We saw them on their winding way,

O! how they made their trotters play.

The race was kept up for several blocks. When turning a corner our flying Dutchman was intercepted by some bystanders, who enquired into the cause of such *racy* conduct, when they were told that "Mills bees von dam rascal. He steals mine frow. I vill shust eat him up and pick mine teeth mit his bones." Mills made a successful retreat, but was badly demoralized. Suffice it to say that soon after Klinetoph and wife were divorced, when Mills and the former Mrs. K. were married and returned to his farm in Big Sioux Valley, where we presume they still reside.

While in this connection we will state that Mr. Klinetoph enlisted in one of the Iowa regiments during the late rebellion, and was in the battle of Blue Mills, Jackson county, Missouri, where he fought bravely, and was severely wounded. While lying on the battle field thus wounded a rebel officer on horseback came within range of his gun, when he fired upon him, killing him almost instantly. Klinetoph then crawled up to him, possessed himself of his side-arms, a gold watch, some confederate scrip, and a plug of tobacco. At

the close of the war he located at Warrensburg, Missouri, where he for sometime followed his trade, that of a baker.

But to return to our journey up the Sioux. The next day (the 16th) after leaving "Broken Kettle" we arrived at the confluence of Red Rock and Big Sioux rivers. Passing up the east bank of the former stream about one mile to a grove of timber, we camped for the night. This stream derives its name from the fact that it takes its rise near the "Red Rock," Indian pipestone quarry, in Minnesota, and from the fact that some of the stone is found on its head waters. The Indians of the north-western have used this stone for many past ages in making pipes. It is of a dark red, admitting of a very fine polish; is free from grit, and so soft as to be cut and carved into almost every conceivable shape.

Our cook spread out a bountiful supper, and after faring sumptuously we gathered around our camp fire, which burned bright and cheerful; our company equally as cheerful, burning with sparkling wit and jokes, we whiled away the evening until a late hour, when we turned in for the night. The sky was clear, the winds had hushed their wailing sound;—all remarking, as we disappeared under our blankets, "A beautiful night, a lovely day to-morrow for our journey, &c." We were soon unconscious in the arms of old Morpheus, and reveled sweetly in the dreaming world until the dawn of day, when we peeped out to greet the morning sun. What was our surprise to find ourselves enveloped in a mantle of snow about four inches in depth. This *cool* visitor met with a *cold* reception on our part. A cheerful fire soon warmed our shivering limbs; a warm breakfast replenished the inner man, when the business of the day was arranged. It was agreed that our teamster remain in camp, while the company take different directions,—carefully examining the sections, and return to the camp in the evening. I followed a section line running north, the others going east. When I had traveled about two miles I came to a section corner on the bank of the Red Rock river. While engaged in examining the section

stake, as I turned round I was somewhat startled and surprised on seeing an Indian advancing towards me, from a small grove near by, with his gun cocked and presented at my breast. I had no arms with me more than a walking stick, which I grasped tight in my hand. I thought at first of retreating for camp, but knowing that it would be impossible to do so with success, I hastily resolved in my own mind to make the best of my situation, and summoning all my courage, with the recollections of the Spirit Lake and other Indian massacres crowding upon my mind, I advanced toward him, extending my hand and saying, "*how*" (how do you do). He halted, looked at me gruffly. I advanced still closer, exclaiming, "*how, how,*" when he lowered his gun. I grasped his hand and gave it a hearty shake, while he eyed me with an air of astonishment and surprise. I had not more than grasped his hand when I discovered another Indian emerging from the same thicket of brush or grove, with his gun in the same position as that of the former. I at once advanced towards him, extended my hand and exclaimed, "*how, how.*" He seemingly refused my hand at first, but after eyeing me closely for a moment, he shook my hand and said, "where *teepe*" (tent). I pointed to the grove where our camp was, and said, "*teepe* in timber." He next enquired how many white man. I replied by throwing both hands up, with all five fingers extended twice, which, after the Sioux method of counting, would be twenty. This seemed to surprise them, the very object I wished to accomplish. I now cast around to see if I could discover any of my companions. Looking eastward I noticed Bosler, Hedge and Montgomery about one mile distant, standing on a bluff, and looking apparently towards me. I at once pointed them out to the Indians, who, on seeing them, seated themselves on the ground, and in a very emphatic manner exclaimed: "Me good Ingin; Dakotah washta" (Dakotah Indian very good). I made signs to my comrades to come to me, which they quickly did,—the Indians receiving them with friendly demonstrations;—very soon calling to

their squaws, who emerged from the brush on the river bank a little below us, with their ponies and papposes, and continued their journey up the river. Knowing that the Indians had killed many trappers and lone persons that they met on the prairies, I feared from their conduct when I first met them that it was their intention to put me on their list of killed had I been alone.

We returned to camp, where we remained until next morning, when we were again on the tramp, going north-east, toward the head of Floyd river, over as beautiful land as the eye of man ever rested upon. We were soon beyond the sight of timber, where the undulating prairie and bending sky seemed to blend with each other.—A fine opening to locate land warrants thought we, These prairies will not be settled in our day and generation. Such were our speculations in regard to the future of this country; but how short our vision—how limited our ideas of the progressive west. To-day the railroad stretches out its iron sinews across the bosom of those ocean-like prairies, and the iron horse bounds o'er with lightning speed, bearing with it the products of almost every clime. Where then was seen the smoke ascending from the red man's *teepe*, now is seen curling heavenward the smoke of the cabin and spacious mansion of the hardy pioneer and industrious husbandman; where then the war whoop of the savage broke the monotony that reigned around, now is heard the cheering hum of industry; where then was heard the thundering tramp of the wild buffalo in the chase, and herds of elk with towering horns, now is heard the tinkling bell of the lowing herds of "cattle of a thousand hills." Those prairies that then yielded luxurious grass, fragrant flowers, now, by the strong hand of industry, yield fields of golden grain. Towns are springing up as if by magic;—churches and school houses rear their lofty spires heavenward as if to kiss the murky clouds. The Yankee is there with his patents, nostrums and notions from a rat trap to a steam mill. Such have been the rapid and gigantic strides of enterprise and industry

in the North West in her onward march to prosperity and greatness, that we refuse to believe when our optics behold it.

After traveling a few miles into O'Brien county, where there were no settlers at that time, we returned south-westwardly, until we again struck the Floyd river, down the valley of which we traveled to Sioux City, passing over some of the most fertile and beautiful lands of the North West. We found but two settlers in this valley in Plymouth county, at that time,—A. C. Sheets and L. Hungerford, who were living a few miles south of where Melbourne, the county seat, now is. This portion of the Floyd Valley was soon after settled by an industrious and thrifty class of Germans.

A short time prior to the land sales, Sioux City was crowded with land sharks and speculators, among them was one John Irvin (commonly known as "Old Johnny"), an Irish Jew. He was a man of large means, small souled, and hailed from Zanesville, O. He made it a point to visit every agent in the town, and by his suavity of manners he induced them to the belief that he was the possessor of a very large amount of land warrents, which he would locate at the coming sales, and that if they would show him where the best locations were, he would employ them to make all of his entries. His object was soon discovered, however, which was to secure a knowledge of the best lands, and then transact his own business. Such was the rush at the sales that in order to give all an equal chance, it was agreed that each man be allowed to enter so many acres at a time. Now, as Old Johnny was known to be a three cent specimen of humanity, no mercy was shown him; when his turn came he would invariably call on some agent to be so kind and obliging as to show him where he could locate a warrant to good advantage for a friend. He was almost certain to be shown land in the middle of a lake, swamp, or then on the Dakota side of the Big Sioux River, which land then belonged to the Sioux Indians. Johnny's application would be filed for the entry of these lands, the next man took his place, and Johnny would get

little or no land entered; his penuriousness thus preventing him from getting but a few out of the many warrants he had on hand located during the sales. At the close of the sales Old Johnny made the discovery of his loss of a hundred and sixty acre land warrant. Some one has stolen it, thought he; accordingly the records of the Land Office were examined to see if a warrant of corresponding number had been entered, but not being found there, he next rushed frantically into the street, hailing every one he met with inquiries as to his lost property. Not being able to get track of it himself, he offered the *very liberal* reward of *one dollar* for its return! Now, some of the graceless wishing to get rid of Old Johnny, hit upon the following plan: He was informed by one party that he had seen a suspicious looking man offer to sell a hundred and sixty acre land warrant of corresponding number to the one he (Irvin) had lost, and that the party having such warrant was stopping at the Haggy House. (In the meantime one Charles Murphy had entered a fictitious name on the hotel register for the occasion.) Mr. Murphy now told Old Johnny that he would remember the name of the supposed thief should he hear it, but could not then call it to mind. "Go with me to the hotel, and see if we can find his name on the register," said Old Johnny. "I'll do it," said Murphy. They were soon at the hotel, where Murphy carefully examined the register, and pointed out the fictitious name as being that of the thief. Old Johnny was now hot on the track; when after searching the town carefully for the supposed thief, he was informed by John Haggy, the proprietor of the hotel (who had been let into the joke) that the thief had just left for St. James, in Nebraska, about twenty miles up the river. Old Johnny was soon calling lustily and in a very excited manner to the ferryman, who was on the opposite side of the river, to ferry him over, which was done, and the pursuer a very corpulent man with coat on arm, collar open and hat thrown back, was soon seen making rapid strides up the river. Before arriving at St. James, he was informed that

the supposed thief was seen on his way down the river to Omaha; accordingly he wheeled about and started on a fresh track, and when last heard from our oleaginous friend was bending his steps toward Omaha one sultry day in the latter part of May, blowing like a windbroken horse, but with as much tenacity of purpose as when he first set out on the phantom chase.

In June following the land sales at Sioux City a company of restless, pioneering spirits, fond of adventure and anxious to acquire a foothold to the then prospectively important territory of Dakota, to which the Indian title was not yet extinguished, but for which negotiations were then pending between the Government and the Indians, left Sioux City on a prospecting tour in the southern part of the Territory. The party consisted of N. W. Putnam—a lineal descendant of Gen. Putnam of Revolutionary fame, I. C. Furber, A. Hartshorn, H. Fero, and R. Elliott, all residents of Sioux City; they were well prepared for the trip, having two wagons and four yoke of cattle, with such other necessities as are requisite on a trip of the kind. When they arrived at an Indian town not far from where Yankton, the present capital of the Territory, now stands, they left their cattle a short distance (a mile perhaps) from the Indians' corn-fields, and town, which was mostly deserted, as the Indians were out on a hunt, and went on foot to the spot where Yankton is now located, and to some other points above. They did not return until next day about noon, when they found that their cattle had been into the Indians' corn-fields and done a vast amount of damage; they were informed by an old Indian named "Keg," who claimed to be a warm friend of the white man, that some of the Indians were coming in from their hunt and it would be at their peril to remain longer. They hastily yoked up their cattle, and took the shortest route possible for Iowa; their direction led them close to the Bluffs, north of the road usually travelled; they had not proceeded far on their way when they discovered a party of Indians in hot pursuit on the

lower road. Their object was soon divined by the party which was to intercept their crossing at the Sioux River. The party now pushed their teams to their utmost speed, each taking his turn in belaboring the poor brutes. After travelling about thirty miles their teams were much jaded and worn down; they stopped a short time to allow their cattle to recuperate their failing strength, when they again set out on their retreat, arriving at a point, the next evening on the Sioux river, four or five miles above the crossing, where the Indians were lying in wait for them. They at once set about hastily to construct a raft, on which to cross their wagons; they compelled their cattle to swim the river. As their raft was about midway in the river they heard the demoniac yells of the savages who were charging upon them, seemingly with a determination of possessing their scalps. When the savages arrived on the opposite bank of the river the party had landed on the Iowa side and secured their raft to a tree. The Indians fired upon them as they retreated to the bluffs with their cattle, out of sight and range of the enemy's fire, watching the movements of the savages, who deemed it unsafe to cross over but soon after left, when under the cover of night our adventurers hitched on to their wagons, drew them ashore, and in due time arrived at Sioux City with scalps unimpaired and their pluck thoroughly tested.

[TO BE CONTINUED.]

THE STATE HISTORICAL SOCIETY OF IOWA.

ANNUAL MEETING.

The State Historical Society of Iowa held their Fifteenth Annual Meeting, for the election of officers, at the Council Chamber, in Iowa City, on the evening of October 18th, 1870. The President, Hon. William G. Hammond, in the chair.

The minutes of the previous Annual Meeting were read by the Recording Secretary, Capt. William C. Gaston, and approved.

The Corresponding Secretary read the Report of the Board of Curators, which was received and adopted.

The following named gentlemen were elected officers for the ensuing year:

President—Hon. William G. Hammond.

Vice-Presidents—Rev. William Emonds, Dr. William Vogt, Hon. George G. Wright, Capt. J. A. S. Tice, and N. H. Brainerd, Esq.

Recording Secretary—Capt. William C. Gaston.

Corresponding Secretary—F. Lloyd.

Treasurer—Prof. H. S. Welton.

Librarian—Silas Foster, Esq.

Members of the board of Curators for two years—Capt. Thomas M. Banbury, George G. Cornell, Esq., M. W. Davis, Esq., George W. Dodder, Esq., Gen. Harvey Graham, David Griffiths, Esq., Hon. F. H. Lee, James Lee, Esq., and Charles Lewis, Esq.

After the transaction of other business the Society adjourned.

APOLOGETIC.

The contraction in the size of the *Annals* from one hundred to eighty pages—a temporary measure very reluctantly resolved on by the Board of Curators for imperative pecuniary reasons—has crowded out several interesting papers which will appear in the next issue, and the unavoidable delays (for which no one is to blame unless perhaps the Editor) incident to a change of publishers have deferred the appearance of the present number somewhat after the time it was due.

We confidently hope that next year the Society will be able to restore the *Annals* to its late size, and that this is the last time we shall have to apologize, in the capacity of Editor, for being late.

HISTORICAL LECTURE.

The Hon. Charles Negus, of Fairfield, on the evening of January 27th, in the Chapel of the State University, at Iowa City, delivered an entertaining and instructive lecture before the State Historical Society and the public on "*The Indians of Iowa*," in response to an invitation from the Historical Society.

The lecturer was introduced to the large and critical audience of ladies and gentlemen that filled the Hall by the President of the Society, the Hon. William G. Hammond, who took occasion to congratulate the Society on the happy event, and to augur auspiciously from it for the future.

Although the subject chosen by the learned orator is not one calculated to enchain the attention of a promiscuous assemblage, yet on this occasion the attention given was marked, and the satisfaction expressed general.

This is the third public lecture which has been elicited by

the Historical Society, the first having been delivered by the Hon. Hiram Price, of Davenport, and the second by the Rev. Dr. George F. Magoun, of Grinnell, and it is to be hoped and expected that a practice so happily re-inaugurated will be repeated at shorter intervals, and by speakers equally able and learned as those mentioned.

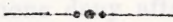
GRATITUDE AND CONSISTENCY.

The Editor of the "Historical Magazine," in a recent number of his periodical, makes a gratuitous attack on the State Historical Society of Iowa—saying in effect that it costs more than it comes to, recommending the State Government to withhold its encouragement and support from it, and finally adding oracularly that it does not belong to the State of Iowa to pay for editing and publishing a magazine on any subject.

We make bold to inform the ill-natured Oracle of Morrisania that the Annals of Iowa, which it would seem is in some manner or other in his way, and which he would have our Legislature discontinue at its next session so that his Magazine may take its place, is self-supporting, and that his other comments on our Historical Society are based on equally false premises as those which allege the Annals to be a burden to the Iowa tax payer, or in any way subject to the caprice of the Legislature or Executive; and also that neither the people of Iowa nor their Legislature are in the habit of going so far away from home for advice as to the suburban hamlet of Morrisania.

When we add that this gabbling Editor, whose lofty historical name is *Dawson*, (which might well be shortened to

Dart, since like that bird his weakness seems to be for *ruins* *), acknowledged in writing but a couple of months before his nonsense was published, his indebtedness to our Historical Society for data furnished him in volumes worth many dollars, which he had been ineffectually seeking through other sources for years, and that the only return he has made us is a few odd numbers of his Magazine, including the one containing his sinister attack, his consistency and sense of obligation will at once be manifest.

The portrait which adorns the number is a faithful likeness of Col. John A. Garrett, of Newton, and that it is worthy a place in our pages but  reading the sketch of his life, so well written by his townsman, Mr. A. B. Campbell.

BIOGRAPHIES AND PORTRAITS.

We shall publish in the April number of the *Annals* a short sketch of the life of the late Rev. G. D. A. Hebard, whose death occurred at Oskaloosa last December. Mr. Hebard was a member, and at one time an efficient officer of the Historical Society, and took great interest in its prosperity.

We hope to be able to present to our readers during the current year memoirs and possibly portraits of the late John Chambers and James Clark, the second and third Territorial Governors of Iowa. If we succeed we shall be indebted to the Hon. Hawkins Taylor and the sons of Gov. Chambers for what pertains to the one, and to Gen. A. C. Dodge for what relates to the other, and shall feel that we have accomplished something worthy of commendation in being instrumental in placing in an enduring and accessible form the main facts in the lives of such important personages in the history of Iowa as her three Territorial Governors,—

* Old towers and *ruins* are favorite resorts of the Jackdaw.—See works on Ornithology.

Lucas, Chambers and Clark—and shall then be ready to begin on the *State Governors of Iowa*.

In the next issue we shall furnish our patrons with the likeness and an accompanying sketch of the life of one of Iowa's most devoted historians, the Hon. Charles Negus, of Fairfield, who has collected and written more of the early history of Iowa than any other person, and we shall be gratified to embellish the Annals with his portrait, not only on account of his good looks, but also because of his good works.

The portrait which adorns this number is a faithful likeness of Col. John A. Garrett, of Newton, and that it is worthy a place in our pages let none deny after reading the sketch of his life, so well written by his townsman, Mr. A. K. Campbell.

Your friend

Charles Negus

ANNALS OF IOWA.

Vol. IX.

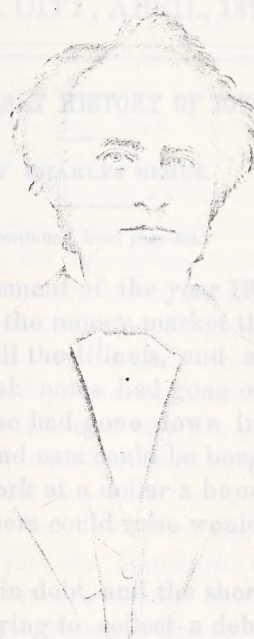
IOWA CITY, APRIL, 1871.

No. 2.

THE EARLY HISTORY OF IOWA.

BY CHARLES REGUS.

(Continued from page 1.)



Among the circumstances of the year 1848 there was one of the hardest times in the money market that had ever been known in the west. All the Illinois, and a great portion of the other western, banks now had gone out of circulation; land and everything else had gone down in value to almost nominal prices; corn and oats could be bought at from six to ten cents per bushel, pork at a dollar a hundred, and the best kind of horses the farmers could raise would only bring from fifty to sixty dollars.

Most everybody was in debt, and the sheriff and constable, with a legal process, trying to collect a debt, were frequent visitors at almost every man's door, and much property was sold on execution, at very reduced prices.

To try to alleviate the general financial distress of the territory was the principal subject which occupied the attention of the legislature. To accomplish this, there was passed what was commonly known as the "valuation law." This law provided that when a case was tried, the officer should levy upon the property of the defendant direct. If the defendant turned out real estate, the officer was required to call an inquest of three disinterested men

Your, &c.

Charles Regus

ANNALS OF IOWA.

VOL. IX.

IOWA CITY, APRIL, 1871.

No. 2.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 404.)

ABOUT the commencement of the year 1843 there was one of the hardest times in the money market that had ever been known in the west. All the Illinois, and a great portion of the other western, bank notes had gone out of circulation; land and everything else had gone down in value to almost nominal prices; corn and oats could be bought at from six to ten cents per bushel, pork at a dollar a hundred, and the best kind of horses the farmers could raise would only bring from fifty to sixty dollars.

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having the qualifications of jurors, who were to value the land under oath, and if the land did not sell for two-thirds of its appraised value, then the sheriff was to offer it to the plaintiff, and if he would not take it at this valuation, then there was to be no sale, and the land could not be offered again for twelve months, only at the cost of the plaintiff, unless, when offered, it should bring more than two-thirds of its value. In relation to personal property, the officer was to select two disinterested persons, who, with himself, were to appraise the property, and, if it did not sell for two-thirds of its value, then he was to offer it to the plaintiff, and if he did not take it at two-thirds of its value, then there was no sale, and the property could not be offered again for six months, unless at the cost of the plaintiff. This law worked a relief to the debtor, and but few debts were collected by distress of property.

At this session of the legislature, there was a law passed, called "an act to prevent certain immoral practises," which was commonly known as the Sunday law. This act provided that, if any one should be found on the first day of the week, commonly called Sunday, rioting, quarreling, fishing, shouting, or at common labor, or if any grocery-keeper should sell any spirituous liquor on that day, or if any person should curse, damn, or profanely swear in any court of justice, or within the hearing of any religious assembly, he should be fined for the same. This law, among the new settlers of Iowa, met with a good deal of opposition, and was much discussed among the people, and, in some places, was a political issue at the next election. This act, though it remained as the law for years, was a dead letter on the statute book, for no one thought proper to enforce it.

This winter the legislature undertook a revision of the statutes, and got up a code of laws generally known as the "Blue Book." They made some very material changes in the laws, and most of the acts provided that they should take effect from and after their passage. It was made the duty of the secretary to take charge of their publication and distribution. Stall, who was then secretary, undertook the work, but,

before he had completed it, was turned out of office, and S. J. Burr appointed in his place. Stull, being very much incensed at being deprived of his office, immediately abandoned the superintending of publishing and distributing the laws, and left the business in such a condition that it was very difficult to readily proceed with the work. On account of this interruption, the laws were not ready for distribution till late the next fall, and the people were from six to nine months with scarcely any one knowing what the laws were. This delay caused the clause to be inserted in the constitution, soon after framed, which provided that no laws of a public nature should take effect until the same were published and circulated in the several counties by authority.

On the 7th of February, 1845, there was an act passed defining the boundaries of the counties of Davis, Appanoose, Wapello, Kiskekosh (now Monroe), Keokuk, Poweshiek, Blackhawk, Iowa, Tama, and Mahaska. This act authorized the governor to appoint justices of the peace in the new counties, who, when they were qualified, had the power to appoint constables.

During the time of holding the treaty with the Sacs and Foxes, in 1842, there was kept at their agency a company of United States dragoons, under command of Capt. J. Allen. After the close of this treaty, when the Indians had dispersed, this force was stationed on the Des Moines river, about three miles below Ottumwa, at the point where Wm. Phelps kept his trading-house. This was done for the purpose of quelling any disturbance that might occur among the Indians, and to keep the whites from intruding upon their rights, by settling upon the new purchase before the stipulated time. The government permitted persons to travel through the country, but did not allow them to make settlements. The region of the Des Moines valley seemed to be the most attractive, and in this part of the territory the services of the dragoons were required in several instances, to expel the whites from the Indian country. Such was the anxiety to settle on the new purchase, that every imaginable scheme was resorted to for gain-

ing admission by permits, as an appendage to the Indian agency, to the trading-houses, or for some other purpose, so as to make a settlement on some choice spot over the line. The constant applications of this character to Capt. John Beach, the Indian agent, became to him a source of great annoyance, and because he did not swerve from a strict course of duty, there was much fault found with him as an officer. Some applied to the Indian chiefs, and obtained permission from them to make settlements, marked off their claims, and commenced to build cabins, and would not leave till they were driven away by the dragoons. Beach was constantly on the look-out, to prevent these intrusions, and for several weeks before the first of May kept parties of dragoons traveling up and down the boundary line, in order, as far as possible, to maintain good faith with the Indians.

These precautions on the part of the agent greatly increased the anxiety to get possession of the country, and there were serious apprehensions that there might be an organized opposition sufficient to overrun the martial law attempted to be enforced by the United States troops; but those anxious to settle the new country, on proper reflection, thought it best to submit to these regulations, and abide their time; for it was generally understood that any claim which was marked off before the whites were permitted to settle the country would not be held valid under the claim laws.

Great preparations were made to be ready to move on to the new purchase on the first day of May—a day famous in the recollections of many of the first settlers of Iowa. For several weeks previous large numbers traveled through the new purchase, selecting sites for claims, and before the first day of May many moved their families and stock to the boundary line and camped, so that, when they were permitted, they would lose no time in taking possession of the spots selected for their homes. It was understood that, by the claim laws, the person who first marked out a claim after the whites were permitted to settle the country, would secure the title to it. And, for this purpose, many individuals hired persons to

stand at the corners of their selected land, who, as soon as the hour of twelve at night arrived, immediately proceeded by torch-light to mark out the boundaries of their claims. At many places they made arrangements to fire signal guns, so that the men stationed at the different corners would know the precise moment when to start. In this way many individuals, at the dead hour of night, acquired large and valuable possessions.

The scramble among the settlers for the choice places on the public domains produced many conflicting interests, and for a while there was a great deal of litigation about settlers' rights under the claim laws.

This tract of country, which had been for centuries occupied as the hunting grounds of the Indians, and none of it owned by whites on the last day of April, before night of the first day of May was occupied by thousands possessed of the habits and implements of civilized life, who immediately proceeded to build houses and open farms, and by their industry soon provided for themselves comfortable homes, and most of them that season raised on their new lands sufficient provisions for the coming winter.

As soon as the whites took possession of these lands, the Indians moved farther west, and located their principal village near the Raccoon fork of the Des Moines river. The United States, near the point where these two rivers unite, put up barracks and other requisite buildings and works necessary for a fort, and the company of dragoons which had been stationed at Phelps's trading-house the previous winter was removed to this point, which was called Fort Des Moines, which name was given to the town subsequently laid out at this place. Several persons, as appendages to the army and Indian agency, were permitted to settle about the fort, and acquired possessions there, which subsequently proved very valuable.

During that season the nearest post office to that point was Fairfield, and the soldiers came to this place regularly twice a week to get their mail.

The fort was about thirty miles from the boundary line, and, as no one could settle in this country for three years without a special permit from some government officer, there was no settlement between the boundary line and fort. The government, expecting to keep up a garrison at that point so long as the Indians remained on their former hunting grounds, and finding it very inconvenient for their soldiers and those in their employ to travel that distance without stopping for refreshments, made the proposition to Thomas and Henry Mitchell, prominent citizens of Jefferson county, to go up and erect a house for public entertainment, about half-way between the garrison and the settlements, which was accepted. The Mitchells selected a choice location on which to build the necessary houses and stables, and they soon became extensively known as popular landlords, and, improving this opportunity in securing title to lands, they laid the foundation by which they subsequently became wealthy.

The legislature, which met on the first Monday of December, 1843, passed no bills till January. One of the first acts of this legislature was to change the time of holding the general election from the first Monday in August to the first Monday in October, but there was but one election held under this law till it was repealed. This legislature also made provisions for taking the census of the territory, in May, and for an extra session of their body on the sixteenth of the next June, for the purpose of making a new apportionment of the representatives. Acts were also passed this winter for organizing the counties of Keokuk, Mahaska, Wapello, and Davis, making provisions that after the first of March, 1844, these counties should have all the privileges of other counties of the territory.

On the twelfth of February, 1844, the legislature passed an act for the purpose of letting the people have another opportunity to vote on the question of becoming a state. This act made provisions that at the next April election the judges of the election should ask each qualified elector, as he approached the polls, whether he was "in favor or against a convention

to form a state constitution," to which the elector was to answer "convention," or "no convention." And if it was found that there was a majority of all the voters in the territory in favor of a convention, then at the next August election delegates were to be elected. This act made provision for seventy members, but the legislature at their extra session, in June, added three more to the number, giving some of the new counties an increased number, who were to be citizens of the United States, and to have resided six months in the territory previous to the election.

The convention was to meet at Iowa City on the first Monday of the next October, and form a constitution, which was to be submitted to the vote of the people at the next April election, for them to ratify or reject. The vote at the April election was largely in favor of a convention, and a proclamation was issued for electing members at the August election.

At this time the expenses of the territory had been more than the appropriations made by congress, and there was quite a large debt hanging over the territorial government, with no means to pay. At the extra session of the legislature, in June, there was an act passed making provisions that if congress would transfer the appropriations made for defraying the expenses of the legislature for the ensuing year, so that it might be applied to the payment of debts already accrued, and the overplus, if any, to the payment of the expenses of the convention which was to form the constitution, that the annual election for the ensuing year for members of the legislature was to be suspended. But if congress should not transfer the appropriation, then the election for members was to be held on the first Monday of the next April, and the legislature was to hold its annual session on the first Monday of the following May; so that, by the provisions of this act, the legislature was not in session during the winter after the forming of the first constitution.

The members of the convention were elected at the August election, and convened at Iowa City at the stated time, and organized their body by electing Shepherd Lefler president,

and George S. Hampton secretary; and on the first of November closed their labors.

This constitution fixed the boundaries of the state as beginning in the middle of the main channel of the Mississippi river, opposite the mouth of the Des Moines river, thence up the Des Moines river to a point where it is intersected by the old Indian boundary between Missouri and the Indian country, thence west on a parallel of said line to the Missouri river, thence up that river to the mouth of the Sioux river, thence on a direct line to the St. Peter river where the Watonwan intersects the same, thence down the St. Peter river to the Mississippi, thence down the Mississippi to the place of beginning.

This constitution made provisions for biennial sessions of the legislature, and for the election, by the people, of a governor, secretary of state, auditor, treasurer, and superintendent of public instruction, who were to hold their offices for the term of two years. The judicial department was to consist of a supreme and district courts, and such other courts as might be established by law. The supreme court was to consist of three judges, to be elected by the legislature; and the district court of one judge, to be elected by the voters of his district, and the judges of both courts were to hold their offices for the term of four years. The state was prohibited from going in debt over one hundred thousand dollars, unless by a vote of the people.

The clause on incorporations amounted to almost a prohibition of all incorporated bodies, for it was so stringent that there was not much inducement, if any, for persons to become incorporated. No corporation was to exist for more than twenty years, unless it was for public improvement. All the private property of the stockholders was to be liable at all times for all the debts of the corporation, and the legislature had the power to repeal all acts of incorporation. The property of the inhabitants of the state was never to be used by any corporation without the consent of the owners—a provision which, experience has shown, would have made it

almost impossible to have obtained the right of way for railroads and other internal improvements. And there was to be no banks, unless the law creating them was first submitted to, and voted for, by a majority of all the electors.

This constitution was formed just after the people had suffered severely from worthless banks and fraudulent corporations, and a war against banks and incorporated institutions was a leading principle with the democratic party — and the democrats, having a large majority in the convention, made the constitution a little more democratic than pleased the people, as was shown by their subsequent vote. The convention did not wait to see if the people would ratify their work, but immediately sent the constitution to congress, to be admitted as a state.

As provided by the previous legislature, in contemplation of the adoption of the constitution, there was no session of the legislature the winter after the convention.

About the same time that Iowa sought to become a state, Florida formed a constitution and made application for admission into the Union, and on the third of March, 1845, congress passed an act admitting Florida and Iowa into the Union as sovereign states. But the act curtailed the boundaries of Iowa, and, instead of adopting the boundaries as defined in her constitution, enacted that they should begin at the mouth of the St. Peter river, thence up that river to the parallel of latitude passing through the mouth of the Wakaton or Blue Earth river, thence west along said parallel of latitude to a point where it is intersected by a meridian line, seventeen and a half degrees west of Washington, thence due south to the state of Missouri, thence on the north line of that state till it strikes the Des Moines river, thence down that stream to the Mississippi, thence up the Mississippi to the place of beginning — making the western boundary of Iowa on a line with the western boundary of Missouri, and cutting off nearly all the western slope of the state, as the boundaries were subsequently established.

The opponents of the constitution offered this curtailing of

the boundaries of the state as a reason why the people should not adopt the constitution. This argument seemed to have much force, especially with the whig party; and, to counteract this opposition brought to bear against the adopting of the constitution, A. C. Dodge, who was then the delegate of the territory in congress, prepared a circular and had it sent all over the territory, in which he gave it as his opinion that Iowa could never get a better boundary than the one which had been given her by the act of congress. But the constitution, contrary to the expectation of most of the leading democrats, was voted down by a large majority.

The defeat of the constitution was attributed, by those favorable to its adoption, to the act of congress curtailing the boundaries of the state.

Dodge was a candidate again for re-election as a delegate, but his circular in reference to the boundary of the state, and the opinion expressed that they could not get more favorable state boundaries, put him in an awkward position before the voters, as the citizens were generally opposed to the boundaries which he had given his opinion as not being likely to be changed. After Dodge's nomination, and while the canvass was going on, ably and earnestly contested by his opponent, Ralph P. Lowe, Samuel J. Bayard, who held the office of receiver in the land office at Fairfield, having, for some political reason, taken a dislike to Dodge, wrote a very argumentative and sarcastic letter, under the signature of "Wapello," in which he reviewed Dodge's political course, and particularly his circular, and presented him before the people in no very enviable light.

This letter very much annoyed Dodge, and came very near defeating him; but, having previously been very popular, and being regarded as a faithful public officer, and there being a large democratic majority in the territory, he was again returned to congress.

At the April election of 1845 there was an election of members of the legislature, which convened at Iowa City on the fifth of the following May.

One of the first things which claimed the attention of the legislature was the defeated constitution. The leading politicians among the democrats being anxious for a state government, and claiming that the constitution had been defeated on account of the change of the boundaries by congress, used every exertion in their power with the members of the legislature to have it again submitted to a vote of the people, with the boundaries as defined by the convention. And the legislature passed a law providing that the constitution, with the boundaries as adopted by the convention, should, at the next August election, be again submitted to the voters for their ratification or rejection. But this law especially provided, if there was a majority in favor of the constitution, so submitted, it was not to be considered as accepting the boundaries fixed by congress, and there was to be no election of state officers, and the admission was not to be deemed as complete until whatever conditions might be imposed by congress should be ratified by the popular vote.

This bill, from the whig portion of the legislature, met with a strenuous opposition, every whig using all his exertions to defeat the measure; but it was carried by a strict party vote.

The whig members of the house, not being satisfied with voting against the bill, after it had passed, probably to have effect before the people, drew up a lengthy protest, and had it entered upon the journals, which was published in all the whig newspapers throughout the territory. When the bill was submitted to Governor Chambers, he returned it with his veto; but the democrats having, in both branches of the legislature, a majority of two-thirds, passed the bill by the requisite majority over the veto, and it became a law.

Though the whig members of the legislature and the governor were not able to defeat the passage of the law, yet when the constitution was again submitted to the people, it was voted down by a much larger majority than at the first time of voting; so that the labors of this convention proved to be of no avail, much to the chagrin of some of the leading politicians.

Owing to the probability that the territory might become a state, the election for members of the legislature was postponed from August till the first Monday of the next April.

At this session of the legislature, acts were passed for organizing the counties of Iowa, Kiskekosh (now Monroe), and Marion. The two former counties were organized on the first day of July, 1845, and the latter on the first day of August of that year. And all the country west of the organized counties was attached to them for civil and judicial purposes.

The affair of the Miners Bank, of Dubuque, again came up for consideration, and the legislature for the first time undertook to make some arrangements for paying the debts which were due the bank from the territory; and on the tenth of June they passed an act requiring the territorial treasurer to sell enough of the unsold lands in Iowa City, belonging to the territory, to pay the bank debt, and apply the proceeds of the sale for that purpose. This was the first step taken by the legislature to pay a just debt, which had been contracted more than four years previous, and had been due over three years, and no part of the principal or interest had been paid; and during this time the legislature had been carrying on a warfare against this institution for not redeeming its notes. But before the legislature had done this act of justice, they had taken the steps to give the institution its death blow, for on the fourteenth of May they passed a bill repealing its charter, and providing for winding up the business of the bank. The law made it the duty of the district court to appoint two trustees, who were authorized to settle the affairs of the bank, to sell its personal and real estate, collect money and pay debts, and manage the whole business, as an administrator would the assets of an insolvent estate.

The bill was presented to the governor, but he did not approve it, nor return it to the legislature, doubtless thinking if he should veto it that it would be passed by a two-thirds majority; and, after it had remained with him three days, it became the law of the territory by the law of congress.

The owners of the bank did not feel disposed to submit to

this summary proceeding without being heard in their defense, and resisted the enforcement of the law. Judicial proceedings were commenced, and the right of the legislature to repeal the charter and close up the business of the bank was resisted till the question was decided by the supreme court.

The act creating the bank had a provision, "that if said corporation should fail to go into operation, or should abuse or misuse this charter, it should be in the power of the legislature of the territory at any time to annul, vacate, and make void this charter." The bank contended that in thus disposing of its charter, it had not had any chance to defend itself, and that, before the charter could be taken away or repealed, it should be decided by some judicial tribunal, after due investigation, that it had abused or misused its privileges guaranteed to it by the charter; but the supreme court decided the act of the legislature repealing the charter to be a valid act, and the institution was closed up.

[TO BE CONTINUED.]

LYNCH LAW AT THE DUBUQUE MINES.

BY ELIPHALET PRICE.

IN executing the laws of Judge Lynch at the Dubuque mines in the spring and summer of 1834, not only much good was accomplished, but wrong was often done. It was an easy matter, in those days, to raise a hue and cry against a person, particularly if he was a stranger, and friendless; and the mob once let loose upon him, seldom paused for evidences of guilt beyond the report in circulation.

A number of instances of this kind came under our personal observation, but none made so lasting an impression upon our mind as the whipping of William Hoffman, a discharged sol-

dier, the particulars of which we will relate, as a specimen of the jurisprudence of Judge Lynch, when administered by an exasperated crowd convened at the lead mines in those days, for the purpose of inflicting punishment, without proper inquiry as to the certainty of guilt.

It was in the month of July, 1834, as we were returning to the village of Dubuque, from our mining labors in the country, our attention was arrested by a large concourse of people assembled in the vicinity of the log blacksmith shop owned by Thomas Brasher, which occupied the present site of the Catholic church.

As we drew near to the crowd, we discovered that Judge Lynch was about to convene his court, for the purpose of trying an offender, who, it was said, had appropriated to his use a bank note of the denomination of \$20, the property of another person. The prisoner had the appearance of being about fifty years of age, and was appareled in the fatigue dress of a United States soldier. Time had begun to whiten the locks which wantoned beneath, and fringed the glazed border of, his military cap. He had assumed an erect military attitude, his arms folded upon his breast, while his eye sought with calm indifference the circle of spectators which surrounded him, who were indulging in a boisterous debate, as to whether he ought to receive one hundred lashes or be tarred and feathered. The impanelling of a jury was at length suggested, with powers delegated to them to hear the facts alleged against the prisoner, and to make such decision as to them might seem just and right. Accordingly, a jury was impanelled, and a presiding judge elected from their number, when the complainant was called, who came forward in the character of a native of the Emerald Isle, who, like the prisoner, wore the undress uniform of a United States soldier.

Judge (addressing complainant).—"You will state what you know about the prisoner robbing you of \$20."

Complainant.—"May it plase yer onerable worships, it's meself that got an onerable discharge last wake from the sar-

vice at Fort Crawford, whin says I te meself, Misther McMurty, ye'd better be degin yer fortin in the mines than to be sogerin away yer preshus life in doing niver a thing, barrin' the killin' of a murtherin' Ingin now and thin; an' with that, be dad, I tipped me cap to the aremy, shouldered me kit, an', with yer 'oner's leave, I arrived in the mines yestherday, and who should I mate but me ould comrad that's standin' up before the coort marshul. Willy, says I, an' will yees be afther takin' a drap, and wid that he said he wud; well thin, it's a drap we tuk here and there, an' it was meself that tuk a drap too much, when, says I, Willy, ye's out of the sarvice longer nor meself, an' bether acquainted with the treeks of the world, do yees be takin' me mooney, an' kape it till I gits sober; an' wid that he tuk it, an' now a divil a bit will he giv it me at all; and yer 'onorable worship knows that its meself am sober as an ordily on duty, and that's all I know about it."

The court now asked the prisoner if he had any defense to make, to which he replied:—

"I admit that he gave me the money, and at his request I returned it to him soon after; this is true, gentlemen. I have nothing more to say."

Court.—"This will not do, old fellow; you can't come the 'old soger' here; you must give up the money or take fifty lashes."

Crowd.—"Give him a hundred. Tar and feather him."

Court.—"Will you give up the money or take the lashes?"

Prisoner.—"I have not the money. I returned it to him. I am not guilty of any wrong, gentlemen. I am innocent of the charge."

Crowd.—"Strip him. Give it to him raw, if he does not fork over."

Here a rush was made at the prisoner. His coat, vest, and shirt were stripped from his body, his cravat girted around the waistband of his pantaloons, and himself dragged forward to a rise of ground, where his hands were lashed each to the hind wheel of a wagon.

A person was selected from the crowd to fling the raw-hide upon his body fifty times in ten divisions of five successive strokes. The executioner was a powerful man, displaying an arm of great muscular strength as he coolly laid aside his coat and rolled up his shirt sleeves for the task. A shudder seemed to creep over the limbs of the prisoner as he eyed the physical powers of his executioner, and in the most beseeching manner begged that he would not mark him with heavy blows, to which the man of the whip replied:—

“I know my duty; and it is to rid the town of such as you.”

“Give him the lash,” shouted the crowd.

The executioner having taken his position, asked him if he would give up the money, to which he replied as before:—

“I have not the money, gentlemen; do not whip me.”

The raw-hide was now swung in the air, and descended in five successive blows of measured time. The screams, the agony of the prisoner, seemed only to awaken a general shout of satisfaction from the crowd. The blood trickled from the deep furrows of the lash, when again the bloody raw-hide swept the air and counted ten. For a moment an ashy paleness diffused itself over the countenance of the prisoner; his head lowered upon his breast, as he staggered under the prop that bound him to the wheels. “Score home another five,” shouted the infuriated crowd, when again the lash resumed its strokes, cutting its way through the quivering mass of coagulated blood that gathered in the channels of the deep-cut wounds, bespattering with gory blotches the apparel of the executioner. The deadened and lifeless flesh that hung from his back in quivering festoons no longer felt the painful keenness of the lash, which being observed by the crowd, a fiendish yell arose from their midst, demanding that he should be cut upon the sides. As the shout fell upon the ear of the prisoner, he started as from a dream, while the agonizing thought that his sides too were to be lacerated seemed to render him frantic with despair, and, gathering all his physical powers, he made an herculean effort to burst the bands that

bound him. Finding himself unequal to the task, he paused for a moment, and gazed around him upon the assembled multitude; then straightening himself to his full height, he burst upon the crowd with an appeal, the energy and language of which can never be erased from our mind. Commencing in a clear, calm tone of voice, and ending with a ringing, stentorian shout, he exclaimed:—

“Do not kill me, my countrymen. I am an old man. I beat the drum at Talapoosa and Tallahassee, and on my breast I carry scars from Bad Axe. I am an American soldier. I am a native of Kentucky.”

The delivery of this appeal seemed to strike the surrounding crowd with mute astonishment, and for a few moments a solemn stillness reigned throughout the dense circle of spectators, when we noticed an undulating swaying of the crowd upon the opposite side of the circle, as a person forced his way through it, and strode out upon the vacant area. He was a tall, raw-boned, athletic man, somewhat round-shouldered, and wore a white slouched hat turned up in front, which, together with his buckskin over-shirt, bespoke him a miner. An old-fashioned flint-lock pistol was belted to his right side, while from his left swung a scabbard that contained his sheath-knife. Munching from a piece of tobacco that he held in his left hand, he advanced towards the prisoner with a slow but firm and measured stride, occasionally glancing his eye to the right or left upon the crowd. There was a spasmodic twitching of the lips, accompanied with a fiendish smile, that occasionally lit up the scowling aspect of his visage, while his eye seemed to flash a deadly defiance upon the crowd that surrounded him. Approaching the prisoner, he observed:—

“I say stranger—I mean you with the whip—suppose you stay your hand till we get better acquainted;” then, seizing the handle of his knife with his right hand, while with the left he grasped the sheath that contained it, he exclaimed: “I say, if there is any man in this crowd from old Kentuck, and ’aint ashamed to say so, let him show his hand;” at the same time snatching his knife from its scabbard, he flourished

it above his head, then, pausing for a moment with uplifted knife, he continued: "If there is none here it makes no difference; I am from those parts, and that's sufficient;" then, wheeling upon his heel, he cut the lashings that bound the prisoner. "See here, stranger," addressing the prisoner, "you say that you are from old Kentuck; perhaps you are, and perhaps you are not. But there is no time now to consider that; it's enough for me to know that old Kentuck has been called, and I am here to answer for her. Now, if you've been guilty of a mean act, acknowledge the corn, and trail from these parts; and if you can show that you are not guilty, I'll furnish you the tools, and back you up through the tallest fight there's ever been in these diggin's."

Here he was interrupted by the complainant, who came rushing up, exclaiming: "Och, be the powers that made me, Willy, its innocent ye are; do yees be batin' him no more, for sure its a drunken baste that I am, not to be rememberin' that he gave it back to me, and its a drunken fool that I was to be pokin' the money under the office of 'Squire Williams; sure and do yees bate him no more, till I brings the money, and show yees that its not the likes o' Willy that would be sarvin' me a dirty trick."

This announcement came upon the crowd like the stupefying shafts of a thunder-clap, and silence reigned for a time, while they waited for the return of Mr. McMurty, but he was never after seen or heard of. That night Kentucky swaggered through the streets of Dubuque by the gleaming light of her bowie-knives, and there were none to cast a stain upon the fair escutcheon of the state.

REPORT OF CAMPAIGN AGAINST MAJOR GENERAL STERLING
PRICE, IN OCTOBER AND NOVEMBER, 1864.

(Continued from page 330.)

"After having performed this duty I reported to the commanding general (who had already crossed Mine creek), and was directed to proceed to the rear and urge forward the division of Major General Blunt and the brigade of General McNeil with all possible speed. These troops had been delayed by the breaking down of some transportation wagons at the most difficult point of crossing, and some time elapsed before the road could again be opened. I returned to the front with General McNeil and Major Charlot, and on arriving there reported to, and remained with, the commanding general until nearly sundown."

Major S. S. Curtis, 2d Colorado, and an A. D. C. on my staff, after the close of the fight at the Marias-des-Cygnés, went forward with General Pleasanton and reports as follows concerning matters at the battle of the Osage:—

"I overtook General Pleasanton and rode with him for some distance. When about three miles from Marias-des-Cygnés we commenced to hear firing at the front, and General Pleasanton sent orders back for McNeil and Sanborn to hurry forward with all practicable dispatch, while we pushed forward at a trot and canter. When we first heard the firing, Benteen's brigade was on a parallel road to the one we were on, and to our right. He immediately put his command on the gallop and we fell to the rear of his column as the roads soon came together. Benteen's brigade broke into regimental column as they approached the battle field, and as they came up on the left of Phillips's brigade, went forward into line and right on into the charge. The enemy was cannonading Phillips's brigade when we came into sight, but the musketry firing had nearly ceased. General Pleasanton requested me to take his escort company and support a section of a battery which

just then came up. General Pleasanton went forward and I directed the Lieutenant to post his guns on a small elevation and shell the enemy's right where the artillery was posted. But two shots were fired, when I heard the yells raised by Benteen's brigade and saw the enemy's line breaking. I immediately ordered the guns forward to a better position, and had just got them in position when General Sanborn rode up and ordered the Lieutenant to fire upon some troops on the south side of Mine creek, and on our extreme left. I felt doubtful as to whether they were rebels or our own troops, but a second thought made me conclude they were rebels. Four shots were fired at them when I saw by their falling back to our lines that they must be our men. I rode forward to the guns to stop their firing, when Generals Sanborn and Pleasanton both rode up and ordered them to cease.

"At this time the enemy's cannonading on our right had not ceased. The enemy by this time being in full retreat, with the exception of their extreme left, which could scarcely be reached with artillery from where we were, without danger to our command, and directly in front of us our troops were immediately on the heels of the retreating rebels. I told the Lieutenant in charge of the guns to follow as fast as he could, while I, with the escort company, pushed forward to rejoin General Pleasanton. A short distance before reaching the creek, I found Major Weed, who told me of the capture of General Marmaduke. I pushed on and told General Pleasanton and just as I did so, General Cabell was brought up a prisoner. At this time we could see a second rebel line forming on top of the hill ahead of us, and our troops being scattered in pursuit, General Pleasanton sent orders for them to halt and reform. I assisted in reforming the line and sending prisoners to the rear, until General Pleasanton again ordered an advance, when I advanced with him. I waited on the hill until General Curtis came up and rode with him to the bank of the next stream, when I rode up to the summit of the hill to the right of the road to obtain, if possible, a view of the charge being made by McNeil's brigade which had taken the advance through the timber on Little Osage."

General Pleasanton, as commander of the advance division, acted with great coolness and propriety throughout this battle of the Osage, and if our battery fired on a portion of Colonel Benteen's troops after they crossed the creek, my son, Major Curtis, clearly exonerates General Pleasanton from directing the matter, which was one of those incidents of battle which often occur. Colonel Benteen and his brigade evidently took the lead in the movements which captured the prisoners and guns at Mine creek, and deserves the greatest applause for personal gallantry. Brigadier General McNeil concluded the matter on the heights beyond the Osage with great success and courage. Nearly all these troops being of General Pleasanton's division, and under his general supervision, he also deserves the gratitude of the country. General Blunt's division crowding forward, and augmenting the power and force which overcame the enemy, are equally deserving of the honors of the day. We were everywhere successful, and the following officers of my staff, although some of them have been already named, deserve special commendation for their unceasing toil and extraordinary gallantry at this "Battle of the Osage." Honorable J. H. Lane, Colonel C. W. Blair, Colonel W. F. Cloud, Colonel S. J. Crawford, Major T. J. McKenny, Major C. S. Charlot, Major R. H. Hunt, Major S. S. Curtis, and Captain Hinton, and others of General Blunt's staff, also took an active part. The reports of Major McKenny and Major Hunt, are especially interesting, but the extracts here made seem to cover the entire field and facts, and I refer to theirs and others here submitted as well deserving of general perpetuity.

Battle of Charlot, October 25th, 1864.

General Price's rebel army being closely pursued after the battle of the Osage, continued a rapid retreat. Leaving the Fort Scott road to the right, and bearing a little east of south, his movement soon rendered it certain that this most important post of southern Kansas, and the last in my department, was entirely safe.

Our advance, under General McNeil, commanding advance brigade of General Pleasanton's division, pressed forward in rapid pursuit. Our way over the prairie was plainly and graphically marked by the scattered equipments, wagons, guns, utensils, and animals left by the rebels, and the fire and smoke created by their burning of the hay and grain and grass along their route.

As the passage of the Mannaton, which we now approached, presented a new obstacle for the enemy's encounter, he made another stand at this stream. This was to cover the passage of his train, which was a great incumbrance, in view of our rapid approach. General McNeil attacked him vigorously with his own brigade, holding him for some time. He was then assisted by Colonel Benteen's, which came up at full speed. The enemy showed a line far outflanking McNeil, and General Pleasanton immediately sent back for reinforcements. I met General Lane on this duty, who was earnest in his efforts to hurry forward the first division, which was considerably in the rear, at the same time expressing his apprehension as to McNeil's ability to hold his ground until more forces could be brought up.

As I came near the scene of action, I saw our artillery and cavalry making a vigorous attack on the enemy's center, which soon broke his line, and gave us a decided advantage. Still the enemy greatly outflanked us, and his wings continued the fight as the sun descended below the horizon. Another effort on our left drove the enemy's right to the rear, and his lines slowly retired in the twilight of evening.

A large portion of our forces, about this time, were moving to the right, as I first supposed, to turn the enemy's left flank; but continuing in the same direction quite beyond the flank, I rode rapidly to the head of this column, to ascertain the object. General Pleasanton told me that his troops were exhausted, and he was going to Fort Scott, to rest and secure supplies. He was told, in my presence, it was only two or two and a half miles to Fort Scott, whereas, in point of fact, it must have been six. I protested against leaving General

McNeil, and against any loss of distance in the march. I insisted on laying down on the grass and sending to the post for supplies; but General Sanborn continued to lead the advance to the right, and such was the cravings of hunger and the desire for rest, it seemed impossible to stop this movement to a place where both could be supplied.

I sent word to General Blunt to hurry forward his division to support McNeil, but night soon came on, the battle ceased, and the lights of the burning prairie and the enemy's burning wagon train, near the timber of the Mannaton, was all that appeared of the two contending armies.

Anxious to procure cordial co-operation between our forces, I went to Fort Scott and had a further interview with General Pleasanton. He said his health would not admit of his further continuance in the field, but his troops might go on early in the morning, after procuring some very necessary supplies.

In the meantime, General McNeil, with his gallant brigade of Missouri, Illinois, and Kansas troops, and the brigade of Colonel Benteen, which had done so much hard duty during the day, remained on the field, in face of the rebel army. General Blunt, not receiving my order, or misunderstanding it, followed General Pleasanton's troops to Fort Scott. I directed Major Curtis to hurry forward and cause rations to be sent on to General McNeil and General Blunt, but the teams, meeting General Blunt on the way to Fort Scott, turned back, leaving General McNeil's force in a most wretched condition, much to my regret, and contrary to my reasonable expectations and orders.

The report of Major T. J. McKenny, of my staff, who was in the advance with General Lane, and remained long after the latter had gone back to hurry up reinforcements, gives a detailed and full account of this "Battle of Charlot" in his report, as follows:—

"The rebels continued their retreat across the vast prairie without our forces, with their jaded horses, being able to bring them to bay, until about one hour by sun, when they formed in great force near the Mannaton, and about seven

miles from Fort Scott. General McNeil's brigade promptly formed to resist them, the rebels outflanking him three-fourths of a mile either way.

"It was at this time, the rebels advancing, that General Pleasanton sent me forward to order McNeil to advance his right wing. McNeil replied: 'I obey the order with pleasure; it is the most joyful news I have heard to-day.'

"Colonel Cole now opened on their right and center with two Rodman guns, which did good execution and broke their column, our forces at the same time pressing their left, when they gave away.

"At this time our guns were pointed to their left, the extreme of which, as well as our right, was in low ground, and could not be seen by the artillerists. Our shot falling immediately in front of our ranks, came very near creating confusion. At the request of General McNeil, I rode rapidly to the rear and communicated the facts, when the firing ceased.

"Sun was now about one half hour high. General Pleasanton, not knowing where he was, remarked that he thought he should order the troops to fall back to the last stream crossed (Little Osage), to the rear seven or eight miles, where wood and water could be had, as his troops were much fatigued and needed rest. I urged that he press forward, as I understood it was but a few miles to the Mannaton, and I thought we could drive the enemy. While we were talking, a courier came from General McNeil, asking for reinforcements, as the enemy was outflanking him on both sides, which was plainly to be seen, as he was only distant about one and a half miles. Pleasanton answered by saying, 'Tell General McNeil to hold his ground until reinforced by fresh troops.'

"Lieutenant Ehle now arrived from Fort Scott, stating that it was but two and a half miles to that place. Pleasanton now gave orders to all his troops that had come up 'to file right' for Fort Scott. A conversation occurred between Pleasanton and myself in regard to General Blunt's forces coming up to relieve and assist McNeil.

"The advance had got about one mile on the road to Fort

Scott, when I too started for that place. I had not gone more than eight hundred yards when I came across a lake or lagoon, with plenty of water. I immediately addressed a note to General Pleasanton, notifying him of the fact, at the same time stating to him it would be a proper place for Blunt's command to camp, and provisions could be sent out to him. I arrived in advance of others in Fort Scott, after a tedious ride of six or seven miles, instead of two and a half."

The distance traveled during the day, and the frequent conflicts in which we had been engaged during the four previous days and nights, had indeed exhausted men and horses. Still it was my earnest desire to rest on the field, sending to Fort Scott for food and forage. But ammunition and other supplies were also necessary, and the erroneous statement of the distance to Fort Scott irresistibly carried my main forces to that place of abundant supply.

The enemy burned a vast number of his wagons and destroyed much of his heavy ammunition, so as to materially accommodate his further retreat. Thus all our troops, some on the field of battle at Charlot, and the remainder at Fort Scott, rested a few hours on the night of the 25th and 26th.

When at Little Santa Fe, I received General Rosecrans's dispatch from Independence, of the 24th, showing that he was then only about fifteen miles from me, but he seems to have taken a different road, judging from the following telegram, which I received at Fort Scott:—

"GRAND RIVER, October 25, 2 P. M., 1864.

"*Major General Curtis, Commanding* :—

"We arrived here to-day, at noon; shall make Spring Grove to-night. You have so far outstripped us that the infantry will halt until wagon train comes from Warrensburg, by way of Harrisonville. Will have supplies sent out by that place to meet you.

"W. S. ROSECRANS, *Major General*."

Arriving at Fort Scott, I immediately issued the following order, rescinding all that remained of my order concerning martial law :—

"HEADQUARTERS DEPARTMENT OF KANSAS, }
"FORT SCOTT, October 25, 1864. }

"GENERAL ORDER }
"No. 57. }

"Fifteen days ago, apprehending an assault upon my department by Major General Sterling Price, commanding a force of twenty to thirty thousand rebels, intent upon the devastation and plundering of the state of Kansas, I deemed it necessary to proclaim martial law within this state, and in the country occupied by my forces, in order to secure a sufficient force, with the aid of the governor, to avert disasters and maintain the honor and power of the federal government within my department. The enemy having been beaten in several battles, and driven below the settlements of Kansas, all danger to the state from that invasion seems to have ended, and the restrictions and burthens incident to martial law no longer necessary in my command. General Order No. 54 is, therefore, rescinded.

"S. R. CURTIS, *Major General.*"

Thus closed the eventful operations of the 25th October, during which we had traveled nearly fifty miles, and been almost constantly fighting the enemy. I telegraphed you as follows, early the next morning:—

"FORT SCOTT, October 26th, 1864.

"*Major General Halleck, Chief of Staff* :—

"Price again deployed and fought us at Charlot, near this place, where he outflanked us, but was soon broken up by artillery firing on his center and a cavalry charge. While this was going on he burned most of his train and again resumed his retreat.

"Having saved this post by pressing his rear, I have supplies which I am arranging in half loaded wagons to feed my troops. I think I have all of Price's cannon but three, and thousands of his arms are scattered along the road. I shall proceed in the pursuit with all the forces I can keep on the way.

"S. R. CURTIS, *Major General.*"

I am since informed that General Pleasanton sent a dispatch to General Rosecrans, of this date or the day following, in which he represented the matter as a conclusion of the campaign, and further pursuit unnecessary; but General Rosecrans did not receive it till he reached Warrensburg, in the afternoon of the 27th.

The entire federal force from Kansas, Missouri, Iowa, and elsewhere had exhibited the utmost courage and gallantry, and, as far as possible, had engaged the enemy wherever he offered battle.

Further Pursuit of the Enemy, below Fort Scott.

The deflection to Fort Scott increased our distance near ten miles, and otherwise delayed the movement, but it was partially compensated by our securing a good meal of victuals and a few hours rest for most of our troops, besides making many improvements in our outfit and supplies.

My chief quartermaster, Captain Insley, and chief commissary, Captain Breckenridge, deserve great credit for the untiring exertions they made to furnish the troops at this time and subsequently. Major McKenny, Major Curtis, Major Hunt, and others of my staff labored most of the night in directing matters of supplies, so as to resume the pursuit early next morning.

I ordered General Blunt to take the advance and move early on the 26th, and General Sanborn assured me that he would follow promptly and support my movement heartily. Being thus assured of the united forces of General Pleasanton and my own regular forces, I discharged all the remaining Kansas militia, believing our regular volunteers were sufficient for future operations against Price's broken down and greatly demoralized forces.

I had, up to this time, avoided a formal assumption of command (although I had fully directed matters), supposing every hour that General Rosecrans would overtake us, and, being

my senior, claim and receive the direction of affairs. His dispatch of the 25th, dated at Grand River, addressing me as "Commanding," and saying he would send me supplies, implied doubts as to his early personal presence. I therefore informed General Pleasanton that I took the responsibilities, and must, therefore, have the direction of affairs.

I ordered the prisoners to be sent back to Fort Leavenworth, where the new prison was ready and convenient to hold them, giving orders to provost marshals to this effect. I had previously assigned a regiment of Missouri troops to escort the prisoners, and supposed all matters relative to them were satisfactory to everybody. I also directed half loaded teams to follow my movement, day and night, with provisions and other necessary supplies.

Having so arranged matters in rear, at an early hour in the morning I joined Colonel Moonlight in the advance, to find the enemy's trail and continue the pursuit. After going a few miles, I got reliable intelligence which induced me to send back the following order:—

"HEADQUARTERS ARMY OF THE BORDER, }
"IN THE FIELD, October 26th, 1864. }

Commanding Officers, Generals Blunt and Pleasanton:—

"I have reliable information that the enemy have all crossed at Adamson ford and gone eastward. I therefore direct all forces to move by the shortest route to that point, and follow me in pursuit.

"S. R. CURTIS, *Major General.*"

We struck the rebel trail near Shanghai, Barton county, Missouri, about twenty-five miles from Fort Scott, where I camped for the night, to allow all the troops to close up.

October 27th, we followed the enemy's trail all day and most of the night. The division of General Pleasanton was moving up on different lines in their several brigades.

By a telegram subsequently received from General A. J. Smith, dated Harrisonville, October 27th, I was informed: "General Rosecrans left here yesterday for Pleasant Hill, and that point this morning for Warrensburg." So it seems Gen-

eral Rosecrans must have relinquished the idea of personal participation in the pursuit about that place and time (the 26th), and he must have arrived at Warrensburg the evening of that day, when I was at Shanghai, Missouri, about twenty-five miles from Fort Scott.

At Shanghai I heard some change had been made concerning prisoners, but, caring nothing about their change, made no objection to it.

As a further proof of complete harmony being secured as to our different forces, I received the following letter from General Pleasanton:—

“HEADQUARTERS CAVALRY DIVISION, }
“FORT SCOTT, October 27th, daylight. }

“*Major General Curtis* :—

“General McNeil’s brigade moved, yesterday, after your command. General Sanborn is now upon the Lamar road, and will push until he strikes the enemy’s trail, and will follow it up as fast as he can. He has been directed to report often. My two other brigades are moving to join you, but, from the exhausted condition of the animals, this must be slow. My artillery, particularly, cannot go farther, as it is, and, not being able to obtain fresh horses, I have taken the best horses for four pieces, and leave the rest behind.

“Escaped prisoners state that Price blew up his ammunition train yesterday, and has but one gun left.

“In reference to the prisoners captured in the late engagements, the misunderstanding doubtless originated from some of your staff officers not comprehending your orders. The Missouri troops felt hurt in not being allowed any participation in guarding the prisoners, and this feeling was increased by a Colonel Ritchie, who in the most violent manner began to seize officers of my staff, and declared they were arrested by your orders. In this manner he arrested your provost marshal, and, as no remonstrance of mine had any effect on his conduct, I directed General Sanborn to keep him quiet until I could report to you. I repaired to your quarters, but found you had left. I then requested Major McKenney, your

aid-de-camp, to report the facts to you, which he promised to do. A number of persons have since informed me that Colonel Ritchie's mind is so weak that he is not fit to be trusted with any business of importance.

"I trust this explanation will be satisfactory. Your arrangement for Captain Hall, provost marshal, to take charge of the prisoners and escort them to Leavenworth, shall be strictly carried out, and I will see that he is furnished a sufficient guard of both Kansas and Missouri troops, if he desire it. I have heard of no imputations or reflections on the Kansas troops, and my desire is that the Missouri troops should serve with them in perfect harmony.

"I was informed last night that General Rosecrans left Little Santa Fe yesterday morning to overtake us. I have not been able to hear of him since.

"From the effects of a severe fall, and exhaustion from my late arduous services, I am unable to move this morning, and I forward the certificate of my medical director to that effect, with the request that, as soon as I can do so, I may be permitted to return to St. Louis, where I can obtain proper care and attention.

"I shall direct the different brigades of my command to report to you directly; and wishing you, General, every success,

"I remain, very truly yours,

"A. PLEASANTON, *Major General Commanding.*"

I insert this correspondence in order to refute the erroneous reports circulated in St. Louis during my pursuit of the enemy, concerning my having grasped for these spoils of victory for personal advantages. My reply, written on the field immediately on the receipt of this very good letter from General Pleasanton, will give, better than anything else, my impressions and expectations as to these matters, which were now some sixty miles in my rear. I ask for no false plumes, and pluck none from my comrades in arms for my wearing:—

"HEADQUARTERS ARMY OF THE BORDER,)
"CAMP AT COON CREEK, 5:30 P. M., Oct. 27, 1864. }

"*Major General Pleasanton* :—

"Yours of this morning is received, and I am glad to hear you have pushed forward your troops.

"Price has destroyed a large amount of transportation, and strewed the way with his material of every kind he could not burn. Straggling rebels are being taken, and all appearances indicate the exhausted condition of the rebel forces. I am also well informed by intelligent men of our militia, who have been in their camp as prisoners for three or four days, that our prisoners in Price's hands are treated very badly. Several have been shot down in the presence of the provost guard. Most of them are driven along on foot, after being robbed of their clothing, including their shoes.

"All this, however, must not provoke us to acts of barbarity towards our prisoners, but will be a matter of settlement when we secure the commander, which I trust will not be long postponed. I approve of your arrangements for escorting the prisoners, and, in view of your indisposition, recommend that instead of taking leave of absence, to which your certificate of the surgeon entitles you, that you will proceed yourself in the same direction, taking a general charge of their proper care. I prefer they should stop at Leavenworth, as an exchange will probably be made, and delivery through Arkansas may be most convenient and preferable, besides I will try to make immediate terms of exchange with Price, so as to stop the cruel march which Price's prisoners are now performing.

"I am sorry, General, that I cannot have you longer in this interesting and eventful campaign, but hope we may meet again and revive the incidents of march and battle that reward such signal success during our associations in this campaign.

"I highly approve of your efforts to maintain a good understanding between troops of different states and different departments, and assure you it will be heartily reciprocated by me. As to the matter of Colonel Ritchie, I hope you will

authorize his discharge, and I will guarantee no further consideration of the subject will be entertained. He belongs to another department, and, as an act of courtesy, I accepted his service as a volunteer aid, but do not wish you to make anybody accountable for his extraordinary and, perhaps, excessive zeal.

"Hoping your health may soon revive, and you may long enjoy peace and prosperity,

"I am, General, very respectfully yours,

"S. R. CURTIS, *Major General Commanding.*"

I was not caring for the guns and prisoners which we had captured, now in my rear, but intent on the prospect of again reaching the retreating foe. For this purpose I continued the march that night, halting at 3 o'clock A. M., October 28th, at the ruins of Carthage. Here we rested three hours for breakfast and foraging. I found exhausted rebels had been left here in a starving condition, one or two having died of hunger. I again hurried forward my own weary troops, confident of soon overhauling the enemy's rear; but, understanding Price was cruelly treating his prisoners, I sent Major McKenny forward with a flag of truce, conveying a demand on the rebel general for the release of such of his captives whom, in his extreme necessity and rapid progress, he could not, and did not, treat with the kindness due to prisoners of war. But Major McKenny had only advanced a few miles when he found the enemy drawn up in battle array at Diamond Prairie, and Colonel Ford ready to deploy our advance brigade against him. So it was inexpedient to convey this letter to General Price. Soon after the enemy, of his own accord, paroled and released them, and it is proper to say the charges of cruel treatment had been exaggerated.

Some of our troops, under the immediate charge of Major McKenny, pursued him, skirmishing in timber for about three miles, capturing three prisoners. The advance again moved forward through Granby, approaching Newtonia about two o'clock P. M.

Battle of Newtonia, Missouri.—October 28, 1864.

General Blunt, being in advance, gave permission to Colonel Moonlight to halt his brigade about one o'clock p. m., to feed his horses in corn-fields which were seen about a half mile on the right of the road. General McNeil coming up at this time, in rear of Colonel Moonlight, and we supposing General Blunt's whole division had made the same divergence, halted his brigade, and, with other troops, joined Colonel Moonlight in feeding their weary horses. But I soon found that General Blunt had gone on, with only Jennison's and Ford's brigades; and, apprehending that he might overhaul the enemy with this small force, I directed General Sanborn, who at this moment arrived with his brigade, to move on as fast as possible, following myself, and directing General McNeil also to resume the march as soon as possible.

Meantime the enemy had halted near Newtonia, and, as General Blunt approached, was ready to receive him with all arms of the service. General Blunt deployed his brigades, and immediately engaged the enemy, the forces moving forward and back alternately, but retaining general position, and doing great damage on both sides.

I arrived with General Sanborn's brigade near sundown, and saw our troops, some of them hard pressed and giving way. McLain's battery, badly cut up, was falling back for safety, under orders, and some stragglers also, for the first time in this campaign, were ordered to face about and return to the support of our comrades. Captain McLain, under my direction, immediately turned his guns upon the enemy, and the stragglers turned back with a shout.

General Sanborn threw his forces immediately into line on General Blunt's left and poured in a heavy fire. This was the occasion of new energies on the right, and a general advance of our forces routed the enemy, who retreated, leaving his dead and wounded in great numbers scattered over the field.

It was now too dark to follow through the timber, and the rebels, scattering considerably, continued their flight, a small

detachment going towards Cassville, but the main force changing their direction westward, taking the road towards Pineville.

This brilliant affair at Newtonia is thus described by Major General Blunt, who commenced the battle and sustained it gallantly until reinforced, and afterwards until the enemy were entirely conquered and routed. This is his report:—

“The rebel forces had encamped in the timber south of the town, on the Pineville road, with the view of remaining there until the following day, thinking that the pursuit of our forces had been abandoned; but discovering my advance coming in view on the high ground overlooking the town of Newtonia from the north-west, they hastily broke camp and attempted to move off. To cover this movement, they deployed a force of about two thousand men upon the prairie to protect their rear.”

[TO BE CONTINUED.]

ARWIN'S SATTELMANT.

BY WM. L. TOOLE, TOOLESBOROUGH, IOWA.

As usual in all new or first settlements of any part of the west, the points or localities in Iowa first occupied became known or named by common consent, and districts around the first settlers named after them. So we had, in Louisa county, Thornton's, Storm's, Goble's, Isett's, Smith's, Creighton's, and other settlements; and, through occurrences, or peculiarity of location, we had creeks, bluffs, points, groves, and prairies named or known as dead horse, dead wood, Indian, wolf, deer, and eagle, and the hawk came in for notoriety in all localities, on account of his constant vigilance and keenness of sight, and occupancy of all high trees on prominent points. This character or peculiarity of the hawk

caused him to become more honored than the rest of the feathered family, through the frequent use of the phrase of "eyes keen as a hawk's," and from the special notice of him, and reference to keenness of his eyes, and leading on to a name to be established for our citizens.

In these early days of Iowa, the people had to be as vigilant as hawks, in watching government officers, Indians, and intruders, and were frequently charged with watchfulness equal to the hawk's, with having hawk's eyes, or eyes keen as a hawk's, &c., &c.; and from the frequent repetition of this charge of watchfulness, and keenness of sight equal to the hawk, or people with hawk's eyes, gradually grew the appellation or application of the name of Hawk-Eyes, and the people having no objections to be so distinguished or named and the name Hawk-Eye be perpetuated. And as our state extended its limits this name Hawk-Eye went with it; so that all the citizens of Iowa are now called Hawk-Eyes, and the state the Hawk-Eye state. The watchful hawk should be pleased that, through the known watchfulness and keenness of his eyes, the whole people of a prominent state derive such a name.

ARWIN'S SETTLEMENT.

As before said, among the names of districts and localities established by common consent, we had the name of settlements after the first settlers therein; and after those names of localities, creeks, and settlements had been established, an Irishman named Erwin located himself in this district, and near what was then known as Walling's Landing, on the Mississippi river. He was a very good citizen, well educated, enterprising, and ambitious, and determined to vary from the general rule of adopting names by common consent, through occurrences or peculiarity of location, or first settlement, and adopt one of his own, and proceeded by declaration to blot out and obliterate all the already established names, and he drew up a writing to this effect. The novelty of said de-

claration was in the peculiar manner of spelling and pronouncing in the Irish style. In his decree he went at once into his main wish after this style, and intended for a district as large as a county; viz.: "This sattelment shall be known and dazignated as Arwin's (Erwin's) sattelment, and its beautiful strame of watter shall be known and dazignated as Arwin's strame, and its beautiful shate of watter shall be known as Arwin's lake, and that most convanient landing for stame-boats and crafts of all descriptions, on the Massursipo, in front hereof, shall be known and dazignated as Arwin's landing; and all new sattlers in Arwin's sattelment shall have the pro-taction of the old sattlers in their claims and general rights, and no one shall be permitted to molast them so long as they are thamselves pacible and good catizens, abiding the rules and laws of Arwin's sattelment."

He went on with quite a list of rules and regulations therein, which suited the times and purposes very well. But, although Mr. Erwin was a very useful and good citizen, and generally esteemed, yet the people of the different established settlements and localities were not willing to obliterate all established names and boundaries to gratify him in his ambition. Therefore he had to confine his ambition and perpetuation of name to Arwin's claim (on government land, unpaid for), which was comparatively about as extensive as his proposed Arwin's sattelment; and the claim laws, previously established by the people, not protecting him in so large a tract, quite a number of amusing scenes occurred in his efforts to apply his own rules in regard to occupancy of his large claim against the established rules of the settlers. Once himself and a hired man became alarmed and made a speedy retreat, each one contenting himself therein that the other was the most alarmed. Mr. Erwin finally yielded to the former established by-laws and rules; and having his claim so greatly reduced, and still anxious for wider domains and larger claims, he finally moved to where he would be less crowded; but the people thereby lost a good and useful citizen.

HON. CHARLES NEGUS.

CHARLES NEGUS, the author of the articles written for the ANNALS on the Early History of Iowa (whose portrait is published in this number of the ANNALS), is a native of Massachusetts, and was a boy of his own genius — marked out his own course of life, and is indebted to no one for his fortune.

Silas Negus, his grandfather, was a physician by profession, the father of four children — two girls and two boys. One girl died young; the other was married and had three children, but all are dead. The oldest son was for many years a noted physician in Webster, Mass. Lyman Negus, the father of Charles, was the youngest of the family, and died when young; and at this time there is no descendant of Silas Negus, bearing the name of Negus, except Charles and his family.

Silas Negus was a man fond of notoriety, sought to move in the highest circles in society, did not care for money, and was quite limited in his means. Japhet Cortis, the grandfather of Charles on his mother's side, was of quite a different turn. He was a farmer, rather miserly in disposition, careless in his personal appearance, and his great ambition was to have well cultivated fields, good stock, and money at interest, and he was one of the wealthiest farmers in his township. Lyman Negus was a young man of a business turn of mind, and was employed, after he became old enough, as a clerk in a mercantile house in Boston.

Susan Cortis, the mother of Charles, was regarded as the belle of her parish, and her beauty, and the wealth of her father, caused her to have many suitors. Lyman Negus and Susan Cortis were clandestinely married when quite young neither of them being nineteen years old. This act was not agreeable to their parents, and particularly to the old gentleman, Japhet Cortis, for he thought no young man worthy of his consideration unless he was disposed to cultivate the soil for a living. But when he found his daughter was married, to make the best of it he could, he proposed to his son-in-law

to put him on a farm ; but this mode of making a living was not in accordance with the idea of Lyman, and he proposed to take his young wife to Boston, and would not yield to the requests of his father-in-law.

The old gentleman being possessed of rather a tyrannical disposition and disposed to have everything his own way, and being somewhat vexed at the manner in which his daughter had been married, his feelings became aroused, and he dealt out to his son-in-law some very severe reprimands. Smarting under the cutting words of the old gentleman, he abruptly left.

These things took place after the commencement of the war of 1812, and at a time when the United States was making great efforts to raise troops; and Lyman meeting with a recruiting officer while smarting under the reprimands received from the old gentleman, enlisted as a soldier in the regular army. The regiment to which he was assigned was at first stationed at Boston. This happened before the subject of this sketch was born, and was a rash act on the part of his father, which he afterwards deeply regretted, and efforts were made by himself and parents for his release, but without success. He visited his wife several times after his enlistment, but soon after Charles Negus was born, his regiment was ordered away from Boston, and he never saw his wife or son after he left that place. The last that was ever known of him for a certainty by his family was that he left New York with his regiment for Mobile, for the purpose of settling some difficulties with the southern Indians. It was reported that he was killed in battle, but the particulars of his death were never ascertained by his family ; yet it is probable that the report was true, and that his ashes remain somewhere in the sunny south, as he never was heard of afterwards.

Thus Charles, when an infant, was left without paternal care, and lived most of the time in the families of one or the other of his grandparents till in the ninth year of his age. This year was a sad period in the events of the life of Charles, for during that year his father's mother and his mother's

father died, and both of the families of his grandparents were broken up, and his mother was married again. Charles no longer having a home with his grandparents, went to live with his step-father. Being an orphan, he had been tenderly cared for by his grandparents, petted and indulged in all his whims. His step-father had but little experience in managing for himself. He was an only son, and his father, after he was married, gave him a farm and the means with which to carry it on. A few months after this his father died, and he undertook to settle up the estate. Within about a year and a half after his marriage he got a large addition to his possessions by receiving the patrimony of his wife.

This sudden acquiring of wealth, instead of being a benefit to him, nearly proved his ruin, for the settling up of his father's estate took him a great deal from home, and having money at his command, those of not the best character sought to associate themselves with him. He became reckless, drank, and gambled, till in a few years he had spent nearly all he had. But, to his credit, he afterwards reformed and became an industrious man.

Charles, for the first year after he went to live with his step-father, had a very pleasant home; but after he became dissipated he saw very different times from what he had enjoyed with his grandparents. His step-father became cross and abusive to him and his mother, took no interest in his welfare, but made him work very hard, and the family relations were anything but pleasant.

Charles was a remarkably large, stout boy, and but few of his age could compete with him in strength and activity, while his step-father was a very small man, and when under the influence of liquor was almost like a child in strength. The conduct of his step-father was such that Charles had no respect for him, and often used language to him which was not becoming in a boy to a man. And on one occasion, when Charles was only about twelve years old, for an offense of this kind, his step-father procured a large switch and prepared to whip him; but as he advanced towards him, Charles looked

him sternly in the face, and said: "You have the ability to do with me now as you please, but when you are drunk I can manage you, and if you whip me now, the first time you get drunk I will pay you back for it." This kind of reasoning caused his step-father to drop the switch, and he never afterwards attempted to chastise his step-son.

Charles's step-father was desirous of keeping him at home for the services which he could perform, and by the laws of the state had the right to control him till he was fourteen years old. When at that age Charles chose a guardian, and left his step-father. From that time he managed his own affairs and shaped his own course. The example set by his step-father, and the associations thrown around him, were not such as were intended to improve the morals of a youth, and Charles was rather inclined to be a rude boy, though the sad effect upon the domestic happiness of his mother, produced by the drunkenness and gambling of his step-father, caused Charles to resolve, when a lad, whatever else he might be, he never would be a gambler or a drunkard, which resolution, thus far in his life, has been scrupulously kept.

When in his seventeenth year, there was a great religious revival in the neighborhood where Charles lived, and many became converted. Among others, he joined the church, which produced a great change in his life. His leisure moments, instead of being spent in amusements, as formerly, were now employed in reading and study, and from that time he became a hard student.

Soon after this he engaged to work at the machinery business; but at the end of a year, contrary to the advice of his guardian and most of his friends, he quit that business and went to school at the Wesleyan academy, a Methodist institution at Wilbraham, Massachusetts. The only means he had to support himself with was about seventy dollars, which he had accumulated by his own industry, and a hundred dollars, with the interest on it, which his grandfather Cortis left him by his will. While here he earned enough to pay his board, and only used his money to buy his clothes and books and pay his

tuition. He was at this institution a little over two years, and in this time had advanced in his studies far enough to enter college.

His classmates were making their calculations to go to college, and Charles was desirous to go with them, but his little means had been exhausted, and he saw no way by which his desires could be gratified. This caused him many anxious thoughts and gloomy hours. But about six weeks before the term closed, a cousin of his, an interesting young lady, who was making ready for her nuptials, was taken sick, and on the day appointed for her wedding were performed the services of her funeral. This young lady was possessed of some means, and in her last moments thought of her cousin, and in the distribution of her property by will gave Charles two hundred dollars. This enabled him to enter college with his classmates, and he became a student in the Wesleyan university, at Middletown, Connecticut, in 1834.

Charles was not ashamed to turn his hand to anything by which he could make an honest dollar. While most of the students spent their leisure hours in amusements, he spent his in some useful labor. In this way, and by teaching school in the winter, he graduated in 1838, with honors higher than most of his class.

The tax on his physical and mental faculties was such that it very much impaired his health, and when he left college his friends thought he would be soon taken away with consumption; but, being possessed of a vigorous constitution, and having a relaxation from his study, he soon regained his health. While at school he not only obtained book knowledge, but learned another important lesson — the value of money, and what it cost in hard labor to make a dollar.

After leaving college, his first intention was to become a teacher, and he engaged in a high school in New London, Connecticut; but he soon changed his plans, and commenced the study of law. After a few months, for want of means, he had to seek employment, and, in the fall of 1839, went south. When he had got to Petersburg, Virginia, he had

only four dollars left. Here he stopped, and found employment as a teacher in the family of Mrs. Broadnax, near Dinwiddie court house. He stayed in this family a year, and in the fall of 1840, applied and was admitted to the bar.

He then started for the west, and came to Iowa, when most of the present territory of the state was Indian country, and the population only forty-three thousand, and settled in Fairfield in the spring of 1841, where he has continued to reside to this time, and has been identified with the growth and prosperity of the state.

LETTER FROM PROF. PARVIN.

IOWA CITY, March 22, 1871.

Secretary State Historical Society :—

DEAR SIR:—In the January number of the ANNALS, in your enumeration of the lectures delivered before the society, you have overlooked some, not important, perhaps, in themselves, but, as part of the history of a historical society, necessary to be included. I therefore beg to present you a full record, as a correction of that on pages 469-470.

The *first* lecture before the "Historical Society of Iowa" was delivered by T. S. Parvin, at its *first* anniversary, at Iowa City, on the 24th of December, 1857, in the old athæneum, then standing on the Sanxay corner, diagonally from the Presbyterian church. The subject was, "An Historical Discourse, relating principally to the early discoveries in the Mississippi valley."

The *second* was at its *fifth* anniversary, January 8th, 1861, in the Methodist church, by Hon. Hiram Price, of Davenport; subject, "The Advantages of Historical Associations." Following this address was a fine banquet, to which a hundred or more friends of the society were invited, and attended.

The *third* was also delivered by T. S. Parvin, in the chapel of the university, on the 17th of July, 1862, upon "The

Newspaper Press of Iowa, in its first decade—May, 1836, November, 1846.”

The *fourth* was by the Rev. Geo. F. Magoun, D. D., of Iowa College, Grinnell, on “The Past, Present, and Future of our Country,” which was also delivered in the university chapel, on the 28th of June, 1865.

The *fifth* and last (not third) was delivered in the new university chapel, on the 27th of January, 1871, by Hon. Charles Negus, of Fairfield, upon the subject of “The Indians of Iowa.”

T. S. PARVIN.

RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTH- WESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 467.)

During the years of 1856 and 1857 the town mania ran to an alarming extent among the settlers of the northwest, while corn and wheat fields were sadly neglected. Very many good quarter sections were spoiled by being driven full of stakes and gorgeously displayed on paper, while the only perceptible improvements were the aforementioned stakes, and the only citizens gophers, who held the lots by right of possession, and who seriously objected to having their range intercepted with cottonwood stakes.

But few out of the many of these paper towns proved a success, one of which was Covington, on the Nebraska side of the Missouri river, opposite Sioux City. It was laid out by one Pecot, a Frenchman, John Fenan, an Irishman, the Seaton brothers, and others, who made claims contiguous to each other. Covington, it was thought, would, in time, be to Sioux City as Covington, Kentucky, is to Cincinnati, Ohio. The

town is located on low land, scarcely above high water mark, covered with a very heavy growth of timber (mostly cotton-wood), which extended up and down the river for several miles. It was from this point that the citizens of Sioux City obtained thir supply of wood for fuel and much of their lumber for building.

Quite a number of the citizens of Sioux City went over on the Nebraska side of the river and took timber claims, some of whom resided on their claims temporarily, and others employed parties to reside upon and hold the claim for them until it should be disposed of or entered at the coming land sales. In many instances the occupant received a portion of the claim, and not unfrequently possessing him or themselves of the entire claim, regardless of the rights and interest of the former claimant.

Among the many who went over and possessed themselves of timber claims in "the goodly land," was Rev. C. D. Martin, of the Old School Presbyterian church, a minister of marked ability, who had been breaking the bread of life to the denizens of Sioux City for a brief period of time, and had not received temporal bread sufficient for his labors to sustain the corporeal existence of himself and family, who were in very limited circumstances. Accordingly, he secured a timber claim of forty acres near Covington, upon which he erected a cabin and made preparations to move his family, and make lumber out of his timber, as a steam saw mill was soon to be erected near him.

This, many of his parishioners and outsiders regarded in the Reverend as a matter of speculation, and partaking too much of secular interest for a minister to engage in, and were somewhat unsparing in their denunciations. This coming to the ears of our reverend friend, he at once determined to abandon his flock to their own destruction, but not without first giving them a severe reprimanding for the stigmas they had cast upon the character of their shepherd. Accordingly, he left an appointment to preach, at which time he proposed to take ministerial leave of Sioux City. We were present, and heard

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this his last or farewell sermon, which was delivered in a log house on Douglas street, opposite the United States land office, and occupied as a real estate office by Culver, Betts, & Co., and afterwards known as the old fort.

He chose for his remarks on that occasion the cxx. Psalm. It has never been our privilege to listen to a more scathing, sarcastic, and withering rebuke to the false tongue, calumniator, &c., than upon that occasion. While he was portraying the character of the calumniator, the following lines of the poet were forcibly suggested to our mind:—

“Detested pest of social joy,
Thou spoiler of life's pleasures,
Like moth or rust ye soon destroy
What's more than all our treasure.”

He dwelt in a cutting manner on those who had traduced his motives and poured out the cup of slander to its last dregs upon his devoted head. The following lines are a sample of his sarcasm:—

Unto the dregs they'd draw it out,
Delighted with their labors,
Then bear the burning swill about,
To treat their thirsty neighbors.

He concluded his remarks by saying: “Now, brethren, Paul made tents for a living, and I make lumber. No fault was found with Paul by his brethren for so doing, and why should you denounce me as a speculator, land shark, &c., and not Paul? I repeat it, brethren, Paul made tents and I make lumber.” He then shook the dust from his feet, as a testimony against the city, and departed (no doubt much relieved) to his cottonwood over the river.

Claims were soon regarded as being very valuable about Covington, and much difficulty was soon the result among claimers. It was not an unusual thing for claims to be jumped. In the summer of 1857 a young man by the name of John Fitzpatrick, from Champaign county, Illinois, purchased a claim adjoining Covington. He was a young man of good character, and soon became much esteemed by the community. Shortly after having purchased his claim he married, and left

on a bridal tour to Champaign county, Illinois, where his father resided. Before leaving he placed a tenant on his claim, to hold it until he returned. Soon after he left, one George L. Griffey, a Kentuckian, who had been lounging about Sioux City some months, and who had been arrested while there on a charge of riot, and was under bonds of \$500 for his appearance at the fall term of court, went over to Covington, and finding Fitzpatrick's tenant absent from the claim, entered upon and took possession of it, which he held until Fitzpatrick returned, which was about the 8th of August, when Fitzpatrick ejected him from the cabin. In a day or two he returned, and found his cabin again occupied by Griffey and a disreputable character by the name of Mahafy. Fitzpatrick offered no violence, but told the trespassers that he would seek redress at the hands of the law. The next day Fitzpatrick met with Griffey at Pecot's house, in Covington, when he told G. that the claim was his, and he would law him out of it. Angry words now passed between them, when F. told G. that if he would lay aside his weapons he would flog him, and if he did not he would release all his right to the disputed claim. G. then asked F. if he was armed. "I am not," said F. Fitzpatrick now stepped out of the house and a few feet from the door, and was conversing with a friend, when Griffey stepped to the door, and, on seeing F. with his back toward him, drew his revolver and fired at Fitzpatrick, the ball taking effect in his left side, just below the heart. The shot was fatal; the unfortunate man lived about one hour.

The announcement of the murder in Sioux City created the most intense excitement. Many of the citizens crossed over as quickly as it was possible, to assist in capturing the murderer, but he made good his escape, under cover of Mahafy's revolver, who was *particeps criminis* in the bloody deed. Many of the good citizens were soon armed with guns and revolvers and in pursuit of the bloody villains. The timbered portion of country for some considerable distance around was thoroughly scoured, but no traces of the murderers were found. Could they have been captured, such was the indig-

nation of the people, that they would, without judge or jury, have expiated their guilt at the end of a hemp cord.

Griffey was never captured. Mahafy went to Omaha, where he had not been long when he committed a brutal murder, for which he was arrested and imprisoned, a short time after which he broke jail and made his escape.

Covington has now grown into a place of considerable importance, and may yet, from the genial rays of prosperity shed upon her by her twin sister "Sioux," arrive to that position predicted for her by her founders.

It was in the fall of 1855 or early in the spring of 1856 (I am not certain which), that Captain Lyon, of the United States army, then stationed at Fort Randal, was so favorably impressed with the location of Sioux City in regard to its many commercial advantages, which were destined at no distant day to make her the queen city of the northwest, that he obtained leave of absence from his command and came down to Sioux City and made a pre-emption claim of one hundred and sixty acres, adjoining Sioux City proper on the west. His claim extended south to the Missouri, which formed the line, along which the land was rough and covered with timber of small growth. He built a small cabin at the head of a ravine, which ran diagonally through his claim. When his cabin (or malogney, as he termed it,) was ready for occupancy, J. M. White (of the firm of White & Copeland) went out, and (as he said) tabernacled with the Captain in the flesh in his malogney one night. The next day (I think) the Captain proved up his pre-emption, White acting as his witness. Captain Lyon then returned to his command, strongly impressed that he had secured a good investment for the future.

This Captain Lyon afterward was the lamented General Lyon, of the late cruel war, who fell while leading the gallant Iowa first in the battle of Wilson's Creek, near Springfield, Missouri, on the 10th day of August, 1861. Among the many brave and gallant officers whose loss our country was called to mourn during the late bloody rebellion, none were more deeply mourned by his countrymen, or whose death was more

keenly felt as a national calamity, than that of General Lyon. He was brave and sagacious, determined and inflexible, and had the faculty of inspiring his men with the same spirit. He possessed more of the qualities of a Napoleon than any other general in the federal army.

It was when General Lyon was making a forced march to Springfield, just prior to the battle of Wilson's Creek, that the Iowa regiments led the command on every day's march some distance in advance, that General Lyon gave them the (not very euphonic) name of "Iowa grey hounds." At the battle of Wilson's Creek, Colonel Bates, of the Iowa first, was sick and unable to command his regiment, and while Lyon was trying to inspire his men with that indomitable courage and bravery that was so marked in his own character, the Iowa 1st called to him and said, "General, give us a leader, and we will follow him unto death." "I will lead you," said the brave Lyon; "follow me." He lead, they followed — yes, followed him into the very jaws of death. The General was mounted on his large dapple-gray horse, and some rods in the advance of the regiment, when he received a rebel ball through his body and near the small of his back, which proved fatal. As he fell with his horse, which was killed also, his body-servant rode up. The General turned to him, and, calling him by name, said, "I am going up." Many brave sons of Iowa bit the dust that day, with their heroic leader, whom they followed unto death.

Captain Skiler Low, a rebel captain (now of Independence, Missouri), has given me the following statement in reference to General Lyon's death: He says he was stationed immediately in front of the Iowa regiment that General Lyon lead; that Lyon advanced directly toward him, and several rods in advance of the Iowa regiment that he was leading, and that the General was mounted on a very fine dapple-gray horse. The captain says that he so much admired the general's courage and bravery that he did not want to see him killed, but wanted him made a prisoner, and so expressed himself to those present, who coincided with him; but as soon as fire

was opened the general and his horse both fell, near their line, when he made a charge with his company to secure him, which he did — he was yet living. They bore him back to the rear of their line, where every attention was shown him that the circumstances would permit of, but all to no effect, as he soon breathed his last.* After the battle his body was surrendered to the Union forces, and so anxious were the rebel soldiers to preserve some relic or memento of the fallen hero that they plucked every hair from the mane and tail of his horse.

On the 25th day of March, 1858, W. H. Tracy, of the firm of "Tracy, Pappan, & Co.," grocery and provision merchants, in Sioux City, got involved in a personal difficulty with some one in the street, near his store door, which resulted in a social knock-down, when W. D. Copeland, a young man who resided on a claim in Nebraska territory, and who was then in Sioux City on business, and on a visit to his relatives, who resided there, came up, when the party quarreling with Tracy commenced a conversation with Copeland, when Tracy interfered. High words passed between Copeland and Tracy, which soon resulted in Tracy firing his revolver at Copeland, the ball entering his head near the right eye, inflicting a mortal wound. Copeland was conveyed to the house of his brother, where he lingered, suffering the most excruciating pain, until the 9th of the month following, when he expired. Soon after Tracy committed the murder, steps were taken for his arrest, but, with the assistance of some of his friends, he made his escape and fled to Fort Randal, where he remained for a short time, after which he fled to Utah. A large reward was offered for his arrest, which was never made.

* Oliver J. Victor, in his incidents and anecdotes of the war, says when Lyon fell he was picked up by his body-servant and one of his guard and placed in an ambulance, to be carried to Springfield, where he was buried on the farm of Mr. Phelps, and afterwards taken up and conveyed to Connecticut (his native state) for burial. Captain Low's statement is corroborated by a confederate soldier (W. H. Marion), who says he saw the general's body within the confederate lines, in charge of their surgeon, and after the battle it was surrendered to the federals. Captain Low and Mr. Marion are regarded by all who know them as men of truth. Yet, they may have been mistaken in the man.

It was during the spring of 1858 that Captain J. B. S. Todd, an old army officer, then of the firm of Frost, Todd, & Co., grocerymen, of Sioux City, conceived the idea of bringing about a treaty between the Yankton and Pawnee Indians and the government, for the southern portion of Dakota territory, and have the same opened for settlement as early as possible. Accordingly, with the assistance of T. Bruguier (a resident of Iowa) and C. F. Piscotte (of Nebraska), he obtained the consent of the principal chiefs of the tribes to accompany him to Washington, where a treaty was effected, in which 16,000,000 acres of land lying in the southern part of the territory was purchased by the government, for something over \$2,000,000, in annual installments for fifty years. Captain J. B. S. Todd may justly be termed the father of Dakota territory.

While Todd was in Washington he wrote to some of his friends in Sioux City that the treaty would be effected in about two weeks. This created no little excitement. In a few hours might have been seen men of every class and profession in the city, with the jabbering Irish and muttering Dutch — some in wagons, some on foot, with camping implements, provisions, &c., — a load sufficient for a mule — taking up their line of march for the “Canaan” of the north-west — the long wished-for land — each man with a good point fixed in his mind, where a flourishing town would soon be built up, and he made an Astor or a Girard. After arriving at the various *good points* in the territory and staking off their claims, they did not long enjoy their air castles of future wealth, when “Lo, the poor Indian,” who did not take much interest in corner-lot speculation, and who had been watching the movement of their pale-faced neighbors, who, they feared, would spoil their corn-fields by driving them full of stakes, gave them a peremptory order to “*puck-a-chee*” (leave), which order was accompanied with demonstrations of violence, which caused our Iowa claimers to beat a retreat, thus knocking anticipated fortunes and air castle speculations of the grandest proportions into a “cocked hat.”

On the 13th of July following, A. H. Redfield, agent for

the Yankton Sioux, arrived and commenced the removal of the Indians to their reservation, near Fort Randal. As Sioux City was the gateway to Dakota territory, her citizens became much interested in the settlement and territorial organization of the territory. It was in the summer of 1858, soon after the territory was opened for settlement, that a number of persons from Sioux City, headed by a few politicians, who, no doubt, were yearning for a fat appointment in the territory, crossed the Big Sioux river into the territory and held a meeting, petitioning congress for a territorial organization, in order to make congress believe that there were many citizens in the territory, and that the establishment of a territorial government was necessary. To do this, they petitioned early and petitioned late. The petition was forwarded to Washington, showing a very large number of citizens — many of them, however, had never seen the territory. This proved a failure. However, the territory commenced filling up rapidly; many citizens of Iowa moved in and took claims.

The territory was not organized until the 2d of March, 1861. In the first legislature were many of the pioneer settlers of northwestern Iowa. The territory is now rapidly filling up by a hardy and industrious class of citizens, who are rapidly developing the richness of her soil and commercial interests, which are now giving her a world-wide fame, and will soon number her among the leading countries of the northwest.

[TO BE CONTINUED.]

NOTES ON THE EARLY HISTORY OF POTTAWATTAMIE COUNTY.

BY D. C. BLOOMER, COUNCIL BLUFFS.

THE county of Pottawattamie is now the largest in the state. Its greatest length from east to west is forty-four miles, and it has a uniform width, from north to south, of

twenty-four miles. It contains twenty-four full congressional townships, each six miles square, and seven fractional townships, comprising nine hundred and sixty square miles, and six hundred and fourteen acres of superficial area.

It is washed on the west by the Missouri river, the course of which is here, as throughout its entire length, very tortuous, but as it only touches the eastern bluffs at a single point within the county, the broad bottom lands amid which it flows are thrown on its eastern side, and therefore embraced within its limits. The valley is from three to seven miles in width, its narrowest point being at Council Bluffs, and its widest, near the north-west corner of the county.

The soil of this valley is, it is believed, unsurpassed in fertility by any in the world. Its depth and strength is so great that it seems almost inexhaustible.

Skirting the valley on the east are the famed bluffs of the Missouri, from fifty to three hundred feet in height, composed of a mixture of sand and clay, and, except in a very few places, entirely destitute of rock of any description. Piled up in every conceivable form, yet generally presenting rounded summits, they present to the beholder a striking and not unpleasant appearance. In the summer, when clothed with verdure, and played upon by the sun's light and shadow, they are really beautiful; and their summits afford a fine view of the country, for miles, to the north, west, and south.

Eastward of the bluffs the county, for a few miles, is badly broken up in ridges, but beyond these come the broad and elevated prairies that roll off to the eastward in successive elevations and depressions, resembling, in appearance, the long swells of the ocean. Numerous streams traverse the county, generally in a south-westerly direction, until they unite with the Missouri. The soil is exceedingly fertile and the climate healthy and invigorating.

It is not my purpose to enter upon an elaborate description of the county, but simply to note down in a few paragraphs, some incidents connected with its early history, which, like that of the entire western country, extends far back beyond

any written memorials. In common with all the vast prairie regions of North America, it had been roamed over for centuries, before the arrival of the European, by the native aborigines, who here pursued the pleasures, the excitement, and the dangers of the chase, unmolested by the crack of the rifle.

It is, however, certain that the Missouri had been traversed several years previous to the close of the last century, from its mouth far up towards, if not, in fact, to the foot of the Rocky mountains, by white men in pursuit of skins and furs, and for the purpose of trade with the Indians.

The expedition of Lewis and Clark, in 1804, was the first organized attempt, on the part of the government, to explore these vast national domains—the seat of future wealth and greatness. Starting from St. Louis, these explorers passed up the great river until they finally reached its source, and crossed the mountains that separate it from the Oregon, which they reached and followed to its union with the Pacific. The Indians flocked in from all sides to inspect their boats and equipments, and solicit presents. The commanders of the expedition held frequent councils, or talks, with them, and one of these friendly meetings took place at a point near the north-western corner of the present county of Pottawattamie, which was thenceforward designated as the Council Bluffs. A fort was afterwards erected by the United States government, at or near this place, and the name itself, after having been a noted locality for fifty years on all the maps of the great north-western territory, was given in 1853, by special act of the General Assembly of Iowa, to the county seat of Pottawattamie county.

Meantime the dealers in furs continued to ply their profitable but dangerous calling, and for the first forty or fifty years of the present century, their agents and servants, many of them Frenchmen, or the descendants of Frenchmen by Indian women, continued each season to drag or push their keel boats or canoes up against the swift current of the river, and when they had disposed of their cargoes of Indian goods and presents in exchange for furs and peltries, to float leisurely

down stream with them, to their starting point at St. Louis. Several of these old traders are still found in the country. One of them, Mr. Francis Guittar, now resides in the city of Council Bluffs, and he informed the writer of these notes a few days since, that he recollected encamping forty-four years ago (1827) with his *companions de voyage*, at a point under the bluffs, now situated in the most populous part of the city. These traders had their small camping places, or trading points, along the river. One of these was situated, as early as 1824, at what was, in those days, known as Hart's bluffs, from a Frenchman who had located there, and which is now found, on inquiry, to have been at a place in the city of Council Bluffs, known as Mynster's spring, from a beautiful and abundant flow of water that gushes out from the bluffs at that point. Farther down the river, and near the south-west corner of the county, was another noted place of rendezvous, alike for Indians and traders, known as Traders' Point. Peter A. Sarpy, a prominent character in all this region in those early days, had his head-quarters at this point, and here he amassed considerable wealth, and, like many other Frenchmen, took a wife from among the Indian women of the country.

In 1838 the government removed the Pottawattamie Indians from the Platt purchase in Missouri, to the southwestern part of Iowa, with their head-quarters in Pottawattamie county, at the place where the city of Council Bluffs is now situated. With them came a number of agents, artificers, and employes. Among the latter was Davis Hardin, who filled the post of farmer for the Indians. He landed at Trader's Point, sometime during the summer, and brought with him his wife and seven sons, two of whom, Richard and Martin D., are still residents, and the oldest white inhabitants of western Iowa.

In 1839, two companies of United States troops came up the river and built a fort, or block house, in what is now the eastern part of the city of Council Bluffs. About the same time two Catholic missionaries came to the same place, and established a mission among the Indians, using the block

house for their religious meetings, and erecting a dwelling house of logs for their own accommodation. As late as 1855, the former building was still standing, surmounted by a rude cross, an emblem of the faith and zeal of these pious pioneers of Christianity in this vast region. They also established a burying ground near by, where the dead received Christian sepulture.

S. E. Wicks was miller for the Indians, and his mill, erected by the government, was situated about two miles back from the Missouri valley, on Musketo creek.

The Pottawattamies, while in Iowa, did not make any very rapid progress in the arts of civilization. Their squaws cultivated some small patches of corn, but the men and boys spent nearly all their time in hunting. Game was then plenty, and even the Buffalo and Elk were found east of the Missouri river. The Indians remained here until 1846-7, when they sold out their possessions, by treaty dated June 5, 1846, and removed to Kansas, where they are still located.

Their departure made way for the advent of the followers of Joseph Smith. That leader of the greatest popular religious delusion of our century, having been killed at Nauvoo, in 1844, his followers were, in the course of a year or two afterwards, expelled from the state of Illinois. Turning their faces westward they crossed the state of Iowa and seated themselves on the borders of the Missouri river. Brigham Young, with the head men of the church, halted, in 1846, at a place then known as Winter Quarters, on the west side of the river, where he remained until the following spring. Then, starting westward again, he moved on to the site now known as Salt Lake City, at which place he arrived on the 24th day of July, 1847, and established there the head-quarters and chief temple of the church of Latter Day Saints.

But the great body of the Mormons remained on the east side of the Missouri river, and mainly within the limits of the present county of Pottawattamie — Winter Quarters, now Florence, in Nebraska, having been nearly deserted, although remaining an important outfitting point for the numerous par-

ties that were constantly starting thence to the new possessions of the church in Utah. Many of the emigrants, from Nauvoo, arrived early enough in the summer of 1846 to plant and secure crops that season, and many more came on in the succeeding fall and winter. They spread themselves rapidly over the county, and into some of the adjoining counties, locating themselves among the groves, and along the numerous beautiful streams of clear, pure, water that traverse western Iowa. The timber covering the bluffs and skirting the water courses, hitherto frequented only by the Indian, the elk, and deer, was ruthlessly cut down and converted into log cabins for the accommodation of the new comers; and where these could not be secured, holes and caves were dug in the hill-sides, for the purpose of securing protection from the keen blasts of the prairies.

The valley of Indian creek, with the adjacent bluffs and the high table land stretching westward to the Missouri river, was, from the first, the centre and controlling head of this new community. Here a village of log buildings speedily sprang up, numbering its population by thousands, and here their mammoth tabernacle was erected, built also of logs, and large enough to accommodate within its ample space at least a thousand worshippers. Over this community Orson Hyde, priest, writer, editor, and lawyer, was installed as the president of the quorum of twelve, and here his people dwelt, for many months, unmolested and undisturbed by the surgings and strifes of the outside world. No whistle of the locomotive disturbed their slumbers; not even the echo of the stage driver's horn was heard in their valleys, for not yet had the Western Stage Company penetrated, with their coaches, to this far off land. For whatever information these people gained, in the way of letters and papers, from the outside world, they were indebted to special messengers from a post office in Missouri, more than a hundred miles distant. To their village they gave the name of Kanessville, in honor of Col. Kane, of Pennsylvania, who visited them during the early months of their sojourn, and who then, and in subsequent

years, proved their true friend. Its location and limits were identical with the territorial limits of Council Bluffs.

For over four years the village of Kaneshville, together with the entire county of Pottawattamie, and, to a certain extent, one or two adjoining counties, remained under the exclusive control of the Mormons. They guided public sentiment, controlled the elections, and filled all the offices of trust in the gift of the people. Representatives of their faith sat in at least two General Assemblies, and it is said to have been owing to their influence that the peculiar provision of the Code of Iowa, in relation to prosecution for adultery, was adopted. At any rate, it is certain that their ideas in relation to a plurality of wives were, to some extent, at least, practised by not a few of the Mormon leaders, with entire impunity, while residing in this state.

These people were then, as they have frequently been since, charged with being hostile to the general government; but when they were appealed to in 1846, to raise a battalion for service in the Mexican war, they promptly responded, and marched, about five hundred strong, under command of Col. Clark, through the northern states of Mexico, taking part in several battles, and finally closing their campaign in California, where many of them engaged in mining, and secured handsome fortunes. Among the latter number was Mr. William Garner, who returned to Kaneshville, and still resides in the county, where he is known as one of its most wealthy and public spirited citizens. It is claimed, with good show of reason, that the gold in the banks and waters of ~~the~~ Sacramento was first discovered by one or more members of this battalion, after their arrival in California.

The extent of the Mormon population of the county was probably larger in 1848 than in any subsequent year, but the state census of 1849, after many had left for Utah, shows it to have been at that time six thousand five hundred and fifty-two, and in 1850, by the national census, it reached seven thousand eight hundred and twenty-eight. The limits of the county were then, however, much larger than at present. It

had first acquired separate organization in September, 1848. Its first clerk was James Sloan ; its first county commissioners were A. H. Perkins, David D. Yearsley, and George Coulson ; and its first county judge, elected in 1851, was T. Burdick. The first term of the district court was held on the 5th of May, 1851, James Sloan presiding as district judge. Evan M. Green was clerk, and Alexander M' Rae, sheriff. The records of this term of the court are a great curiosity, in their way. The clerk seems to have discharged his duties with conscientious fidelity, and recorded at full length the entire proceedings of the court, including the testimony of witnesses, the arguments of counsel, and the charge of the judge. Sloan was a native of Ireland, and a Mormon, as were all the officials named above, and many anecdotes are told of his eccentricities and mother wit, while on the bench. He resigned, after holding the office about a year, and was succeeded by Judge Bradford, appointed to the place by the governor, who filled the office until his successor, S. H. Riddle, was elected by the people, but the latter did not come upon the bench until the Mormon rule was passing away. Orson Hyde was one of the first attorneys admitted to practise before Judge Sloan's court.

Evan M. Green was the first postmaster at Kanesville. He received his commission in 1848, but it was some time before regular mail service was established between it and the nearest post office in Missouri. And it was four or five years later before mails began to arrive regularly across the state from the east. In the same year Orson Hyde established the *Frontier Guardian*, which continued to be published until 1852. It was edited by Hyde, himself, assisted during a part of the time by A. C. Ford, and was primarily devoted to the defense and spread of the doctrines and practises of the Mormon church. It generally favored the whigs in politics, but the political faith, both of Hyde and his followers, sat rather loosely on their shoulders, and their votes were commonly cast in favor of whichever party seemed likely to show them the most favors. Candidates for office frequently made

political pilgrimages across the prairies to this Mecca of the Missouri, for the purpose of winning the votes of this secluded and peculiar people. A story was long prevalent that the office of the *Guardian* was furnished to Hyde as a reward for an almost unanimous vote which he caused to be cast for a particular candidate for congress at the election in 1848; but in some way the poll books of the election were not forthcoming when the canvassing board met to make their returns. The first representative from the county to the General Assembly was Mr. Henry Miller, of Kaneshville; the second, Archibald Bryant; and the first senator, Hadley D. Johnson, the two latter having been elected in 1852.

With the advent of gold mining on the Pacific slope, began that tremendous rush of overland emigration, which for several succeeding years formed a notable feature in the history of the western country. It commenced in 1849, increased to vast proportions in 1850, and in 1851 crowded all the ferries, and during the summer months, filled all the valleys that intervened between the "Father of Waters" and the summit of the passes over the Rocky mountains. The settlements of the Mormons on the Missouri lay directly on the route of this tide of gold seekers, and soon their pastoral habits and peaceful ways, their quiet gatherings and primitive sports, were rudely broken in upon and sadly marred by the rough spirits who scoffed at their religious pretensions, and laughed at their credulous faith. The village of Kaneshville was the general rendezvous of all who crossed the state of Iowa, on their way to the new Ophir of the west. Its valleys were filled with their long lines of white canvas-covered wagons, and almost numberless droves and teams of oxen, mules, and horses; and its streets thronged with as rough and hardy a crowd of men as ever set out to seek their fortunes in any land, east or west. With them came also traders, dealers and venders of intoxicating drinks, gamblers, horse thieves, and desperate characters of every description, and soon the place was transformed into a very pandemonium of iniquity. Every available building was ere long converted into a gambling or

drinking hall, and commonly both, and crime of all kinds ran riot. The Sabbath was unobserved, and almost unknown, and except the gatherings in the Mormon tabernacle, over which Hyde presided, the voice of religion was silent, either to protect the innocent or punish the guilty. More than one poor fellow, at that early day and in subsequent years, was strung up by the neck to the most convenient tree, at the command of self-constituted vigilance committees. Nor was the evil abated when the returning miners made their appearance from the Pacific coast. They brought with them an abundance of the shining ore, and this seemed rather to increase the rage for gambling and drinking that so universally prevailed among the Gentile population, and which had wrought such demoralization among the earlier settlers.

The time had now fully come for the Mormons to follow their great leader to the happy valley among the mountains of Utah. Many had already taken their departure for the land of promise, while fresh trains of newly converted disciples from the old world and the new, had pressed on to the dominions of Brigham. So while Hyde's followers in Iowa had been gradually diminishing in number, those of Brigham, at Salt Lake, had been rapidly increasing. Finally, in 1852, the order came, and the word went round, that all true believers in the creed of Joseph Smith, as taught by his vicegerent, Brigham Young, should gather around the great central temple in Utah. Then came the harvest of the Gentiles. They swarmed into Kanesville, and into all the settlements of the faithful throughout the county. Farms were sold to them for a few hundred dollars; claims were bargained off for a span of horses or wagon; lots in Kanesville were exchanged for a yoke of oxen, and cabins and store rooms for a few articles of furniture and provisions for the journey. During all the spring and summer of 1852 the work of selling out and removal went forward, and long trains of the pilgrims covered all the roads up the Platte valley and across the Larimie plains, as they wended their way to the City of the Saints. This migra-

tion continued with diminished volume during several succeeding years, until all the believers in the Mormon faith, who were willing to acknowledge Brigham Young as the true successor of their first prophet and leader, had left the country.

Many of these people have since occupied prominent positions in the Mormon hierarchy, and one of Brigham's favorite concubines was formerly well known in Council Bluffs, as a young lady of decided beauty and accomplishments. A few of the prominent citizens of the county, who had formerly been numbered among Hyde's disciples, abjured the faith altogether, and remaining here have since proved themselves most worthy citizens; while others, refusing to recognise Brigham Young as their prophet, have adhered to the fortunes of Joseph Smith, jr. These latter have rather increased than diminished in numbers, during the last few years, and they now have a regular religious organization in several of the western counties, and a church in the city of Council Bluffs. They altogether repudiate the doctrine of a plurality of wives, and are a well meaning, industrious, and respectable class of people.

With the year 1852-3, the Mormon predominance in Pottawattamie county practically ceased, and within a year or two thereafter, the "Gentiles," by which term all new comers not Mormons were known, acquired entire control of its destinies. How they prospered, together with a few incidents connected with the subsequent history of the county, will be related in a future paper.

[TO BE CONTINUED.]

THE MAGNESIAN LIMESTONE OF IOWA AS A BUILDING STONE.

BY J. E. GRIFFITH, LATE LIEUTENANT U. S. ENGINEER CORPS,
NOW IN CHARGE OF STONE AND LOCK WORK
OF SHIP CANAL AT KEOKUK.

THE magnesian limestone belongs to the subcarboniferous age, and occurs between the Keokuk and Saint Louis groups of ordinary limestone, each occupying its respective place, but oftentimes running the one into the other, rendering the line of separation in such cases exceedingly difficult to draw. The general characteristics of this class of stone are similar everywhere.

In Iowa, this rock is found in various places—the heaviest beds occurring in Lee, Johnson, and Mahaska counties—in greater quantities, however, in the first named.

As a building stone, the magnesian limestone excels on account of its weight, toughness, and durability, rendering it capable of standing great pressures and changes in the elements. Weighing, as it does, from 165 to 170 pounds to the cubic foot, its stability is undoubtedly superior to any other of the limestone formations, for weight gives proof of stability and firmness when speaking of stone of any one class, as limestone. The test for weight and other properties were made at Rock Island Arsenal in 1867. Although soft when first quarried, this class of stone becomes very hard and difficult to dress.

In reference to some of its peculiarities, I might here say that in all places where this rock has been opened, there is considerable difference in color and structure in the several strata, and in the same stratum at different localities, varying from a light gray to a dark buff (sometimes streaked in various colors), and from a homogeneous, sandy texture, rather soft when first taken from the bed, to a hard, compact, and coarse structure.

These variations, however, do not appear to affect the durability of the rock in any degree. In 1849, a considerable quantity of this stone was taken out of the Belfast quarry, in Lee county, for the construction of the lock at the above named place, some of which was dressed at that time, and has been exposed ever since to the action of the atmosphere, water, and ice, yet retaining, to-day, the sharpest edges and tool marks. Many cases can be mentioned of magnesian limestone lying in wet places, or half imbedded in mud, which have withstood atmospheric and other influences.

In Paris, France, this stone is one of the most common and reliable of foundation and building stones — many examples existing of buildings hundreds of years old. Castles, centuries old, in Europe, remain as monuments of the durability of this class of limestone.

From experience, I can testify to its worth. The selection of the stone for the three locks of the Des Moines rapids ship canal was entrusted to a competent board of United States engineers. They had at their command every means of testing different classes of stones found in the west. Their decision, approved by the chief engineer United States army, was in favor of the magnesian limestone. Occurring, as it does, in great quantities in this immediate neighborhood, abundant facilities have been offered me for a thorough examination of its relative worth as compared with other building stone.

It can be obtained in blocks of any dimensions and shape — blocks being used on these works containing four cubic yards, weighing from eight to nine tons. It quarries and dresses easily — an ordinary workman can give a bush hammer dressing to one or more cubic yards per day.

Combining, then, its great strength, toughness, and durability, together with the cheapness with which it can be quarried and dressed, it cannot but occur to any disinterested mind that it is a superior building stone.

In the lock works here, the water line is ever varying; consequently the air, water, and ice alternately have opportuni-

ties to influence the face of the stones in the wall. The fact, then, that this, of all our western stones, was selected by a board of engineers appointed by the secretary of war, for the construction of the *only* locks in the Mississippi river, is a fair evidence of the worth of the stone. The state of Illinois thought enough of this stone to use it in its capitol building.

A sample of stone sent here from Johnson county, I find, corresponds with the Lee county stone. The Lee and Johnson county stones offer far superior inducements to any other in the state, on account of thickness of strata and amount of quantities, and I can safely recommend its use for any building purposes, whether in air or water.

MEMORIAL OF REV. G. D. A. HEBARD.

GEORGE DIAH ALONZO HEBARD, the sixth son and eighth child of Diah and Sarah Avrill Hebard, was born at Brookfield, Orange county, Vermont, September 6th, 1831. The Hebards had all been tillers of the soil as far back as the sixth generation from the subject of this memoir, and his great-great-great grandfather, John Hebard, with two brothers, came from England soon after the Pilgrim Fathers. From these have sprung a multitude of descendants, who are scattered the continent over, spelling their patronymic, for the most part, Hibbard. The names of the immediate line with which we have to do in this sketch, were John Hebard (the great-great-great grandfather, mentioned above), Nathaniel, his son, Zebulon, his grandson, and Zebulon again, his great-grandson, and the grandfather of the subject of this sketch, who settled with his family, at an early day, in the township of Randolph, Orange county, Vermont, on a large farm of several hundred acres. By industry and economy, he was

enabled to leave his posterity, at his death, a large patrimony and whatever benefit could be derived from his reputation of having been one of the wealthiest men in Randolph. His family consisted of a daughter and three sons — Samuel, Enoch, and Diah, the latter becoming the father of the person whose name heads this sketch. He married Sarah Avrill, whom he left a widow, dying in his forty-ninth year, August 26th, 1831,— ten days before the birth of the person in whom we are now directly interested.

In addition to the name George, he who is the theme of these notes, had added unto him the Christian name of his father, Diah, and that of a lately deceased brother, Alonzo, and when thoughtless critics may have questioned the taste of this trinomial array of initials, so often coupled with announcements of Sabbath discourses, how soon objection would have vanished had they learned that two of them were added to memorialize a parent and brother, whose names might have been forgotten unlinked with the sanctity of his.

On the death of his sister, Laura, which occurred a few months before George's birth, she requested that her then youngest brother, Samuel Avrill, might be devoted to the ministry. Her desire was complied with in a manner which, if departed spirits take cognizance of earthly transactions, must afford her the highest gratification (as can be attested by those who know the Rev. Samuel A. Hebard, of Adrian, Michigan), but which must have been greatly enhanced in witnessing the enthusiastic Christian devotion of him that we write of, driving the work of the Lord with, as it were, superhuman energy.

The family residence in Brookfield was in full view of the beautiful Green mountains, whose glorious scenery must have acted as a powerful provocation of the spirit of freedom and adoration for the works of the Creator, which lay latent in the breast of young George.

His father was a good English scholar, of methodical habits, a member of the Baptist church, with a leaning for the Congregational, which he often attended, and he was distin-

gnished in the community in which he lived for his charities and benevolence. The sacred duties of a father were but indifferently discharged toward George by a step-father, whose disposition was less amiable, and whose morals were less conspicuous than those of his deceased parent. Nevertheless, the pious precepts of a devoted and Christian mother, after the wayward exuberances of youth had subsided, triumphed in his heart, and high thoughts of duty to God and man began to develop themselves at about the age of seventeen, when, relinquishing the leadership of the mischievous boys of the village, he betook himself, with earnest aptitude, to retrieve himself by attending, at Randolph Center, Vermont, the school then under the principalship of Rev. George Nutting, since become distinguished in the religious world as a missionary to China. After two or three terms spent at this school, he passed the years of 1848-9 in the academies at Bakersfield and Thetford, in the northern part of Vermont, where he made great proficiency in his studies. From this time forward his career was upward and onward. After due preparation at the academies named, he entered, in 1850, Amherst College, Massachusetts, which he left, with commendable honors, in 1853, to finish his collegiate course at Dartmouth College, Hanover, New Hampshire, where he graduated in 1854, and where his memory will long be green.

During his pupilage at Amherst College he experienced that change of moral sense and feeling, signifying conversion, and now, his classical education being complete, he determined to enter upon a preparation for the ministry, and for this purpose entered, in September, 1854, Union Theological Seminary, an institution of religious learning in New York City under the joint auspices of the Congregational and New School Presbyterian churches, whose degree was granted him in May, 1857.

During the vacation of the Theological Seminary in 1856, he was married, May 13th, in Woodstock, New Brunswick, to Miss Margaret E. Marven, a sister of the late John C. Marven, so admired for gallantry and chivalry as lieutenant of

the First and subsequently as captain and major of the Eleventh Iowa volunteers.

The day after his graduation from the Theological Seminary he went directly to his chosen place of labor, Clayville, Oneida county, New York, supplying the pulpit of a Presbyterian church there nine months, and demonstrating his unavailability for an Indiana field by exhibiting quite exceptional views regarding the sanctity and permanence of the nuptial relation in refusing, despite the proffer of a large fee, to solemnize the marriage rite to divorced parties — views which he conscientiously held and practised to the last.

Early in the spring of 1858 he started west, with a commission in his pocket from the American Home Missionary Society, to "preach the gospel in the destitute parts of Iowa," with instructions to report himself to Rev. Jesse Guernsey, at Davenport, where he found the Presbytery of Iowa City in session. A request had been received by the Presbytery that very day to send a minister to Clinton, but they knew not where to find an unemployed one till Mr. Hebard appeared, a few hours later, with his credentials. The next day he was in Clinton, and the following, which was Sunday, discoursed to the people there so satisfactorily as to receive a call the next day to the Presbyterian church, which then had a membership of thirteen, but which he left, three years and a half afterwards, numbering upwards of sixty.

Resigning his pastorate of this church in the autumn of 1861, he accepted the charge of the New School Presbyterian church of Iowa City, which he retained till the summer of 1866, when he and his congregation, many of whom, like himself, were originally Congregationalists, relinquished their governmental associations with the Presbyterians, and by uniting with a small Congregational church then existing in Iowa City, resumed their relations with the Congregationalists. A few of the members of his congregation, however, maintained their allegiance to the Presbyterians, and out of the changes incident to the formation of a new, and the termination of an old, congregation, grew a controversy which it would be un-

profitable to allude to further than to say that Mr. Hebard's position was finally triumphantly sustained.

The church in which Mr. Hebard's congregation had worshipped belonging to the Presbyterians, he at once set about the construction of a new one with his customary energy, which secured to Iowa City a new era in church architecture, by the erection of one of the most beautiful buildings of the kind in the west—the Congregational church, facing the University and the west from the corner of Jefferson and Clinton streets. When remonstrated with by his wife for his excessive mental and physical labors in this behalf, which were undermining his health, he would reply, "*That church shall be built if it costs me my life.*"

He saw the exterior of this building finished, the money for its completion nearly provided for, its membership more than one hundred, and then, feeling the necessity for rest and change, accepted an earnest invitation to the pastorate of the Congregational church at Oskaloosa. In his nearly two years service there, his labors, as in other fields, were abundantly blest, for he saw his congregation doubled and become one of the strongest of its denomination in the state.

But many of his former flock at Iowa City followed him with a jealous eye, determined to have him back as soon as opportunity offered, and almost the last letter he answered was in reply to one asking him whether he would accept a call back to Iowa City, which gave him intense satisfaction, and to which he alluded the day he died. Exactly in one month from the day he received that letter, he went to those he loved so well in Iowa City, at his own request, to be interred among them.

In search of renewed strength, he had spent two months of the summer of 1870 in California and among the Rocky Mountains, and while so engaged received a call to the Congregational church at Denver, Colorado, but feeling physically unequal to the task, declined it. So much improvement had the Pacific breezes and the Rocky Mountain air wrought

in his physical frame that his near friends, for the first time in four years, felt relieved of anxiety on account of his health.

His last appearance in public was at a Union Thanksgiving service at Oskaloosa, the 24th of last November. The next day he rode into the country to confer with a lady ninety years old concerning her proposed union with his congregation, and the following day was attacked with inflammation of the lungs, of which he died December 14th, at the age of thirty-nine years and three months, leaving a widow and four children, who sincerely lament him.

The striking features of Mr. Hebard's character were energy, perseverance, enthusiasm, and independence. He cherished a broad catholic spirit of charity toward all denominations, which made him a member of not one, but all, Christian churches. His father a Baptist, his mother a Methodist, his conversion in a Congregational college, his marriage to an Episcopalian, and his preaching for seven years in Presbyterian churches, gave him a love for the common Christian brotherhood not bounded by denominational lines, although the Congregational was the especial church of his choice.

Early in its history, Mr. Hebard became a member of the State Historical Society of Iowa, in whose work and advancement he took a lively interest, serving during the society year of 1868-9 as a member of the Board of Curators, which affords a grateful excuse, if any be needed, for publishing this brief and imperfect record of his life in the ANNALS OF IOWA.

HISTORY OF MARSHALL COUNTY.

BY NETTIE SANFORD, MARSHALLTOWN.

[Continued from page 415.]

HON. T. BROWN tells us the Albion people had an idea at this time that a land site and a building made a college, sans faculty, sans trustees, etc. With all its bad management, the ideal university had a good influence upon the community; the churches increased in number, so that Marshall county was, perhaps, as moral as any settlement in the state. There never was but a single murder in the county,—Dr. Bissel, the first practising physician in Marshalltown, was shot by Mr. Coble, from jealousy, in 1855.

Albion, in 1856, probably numbered five hundred inhabitants. John Tripp, the first hardware merchant, now the proprietor of the railroad town, Liscomb, was perhaps one of the most successful men here. Stanley, Chapin, Barnhart, Swearingen, and Wilson kept the Albion corner of the triangular fight between the aforesaid town and Marietta and Marshalltown in a constant state of activity. Marietta being the stronger, Albion ostensibly wrought side by side with Marshalltown, but if the plum could fall into her own lap she wrought for herself without any qualms of conscience upon treaties with great powers. The settlers north of Albion gave their energies and money to build up the village; among these were Philip and William Ballard, of Iowa township. Their early history is well worth recording. They came to their home on the wild prairie on the east side of the Iowa river in 1849; but the Indian trail lay over the river, and this must be crossed to reach the shanty where Mr. Philip Ballard intended to bring his family after he had made his claim. The stream was not clear of ice, yet it did not make a strong bridge. Wagons were waiting to go over, but it looked dubious at best. No bridge had ever been built upon

its waters, and none was like to be for some years; so Mr. Ballard concluded to place a few boards each way from an island of ice to the shore. It could not be trusted with a heavy load, so the household goods were carried over by hand, William Ballard assisting, he being a young man; then the horses were coaxed along the frail structure, the empty wagon, and, finally, the wife and little ones of Philip Ballard. In an hour the ice was swept away by the advancing current, and the brave pioneers had good cause for congratulations. The shanty was made of a few logs and boards. Mrs. Ballard ground corn in her coffee mill for bread, until the mill was started on timber creek. Meat was plenty until the powder gave out, and a small prospect for pork until the bears ate up the pigs. Bruin, in turn, was killed, and his honey in the cottonwood trees was also a fair reprisal. If, by some trade, a pound of coffee could be bought in Oskaloosa, a hundred miles away, their happiness was complete. Healthy, cheerful, and contented, the pioneers, by the great law of compensation, were much happier than the people of older communities. No care to sustain position in society, no agony over unfashionable dresses and bonnets, their mission was to subdue the wilderness and make it blossom like the rose, and they were content.

The year of 1856 was one of great prosperity to the people of Marshall county, everywhere. Immigration brought substantial farmers to break up the prairie, their money made a home market for produce, and the little towns built up as fast as carpenters and masons could build houses. Marietta contended with Marshalltown for the county seat prize at the election of this year, and was again successful. Hon. Delos Arnold, Hon. H. E. J. Beardman, Hon. John Turner, Thos. Abells, esq., Dr. Waters (one of the most energetic men in the county), never allowed themselves to think for a moment the prize could be lost to Marietta. It gave zest, piquancy, to every enterprise of life, and "to come it over *them* Marshalltown fellows," as a Mr. Wallahan used to say, was the

best thing to call a group of Marietta citizens around the post office door, and "make a note on't."

Marshalltown, with an equal amount of pertinacity and a *little* more sharpness, was endeavoring to steal the hearts of the voting citizens in her favor. The Albion press, the mouth-piece of Marshalltown, declared that a man was drowned in the mud puddles of the public square in Marietta! Then it attacked the Fulton and Missouri River railroad, declaring upon the faith of a great man, in Des Moines, that it never would be built through the swamps, near the aforesaid town.

Judge Woodbury, Anson, and Rice, determined to make a beginning for a court house in Marshalltown. They borrowed five hundred dollars from the M. E. Church society, to build a town hall, so they told Marietta citizens. Subscriptions were asked of people in any amount from twenty-five cents and upward. Some men were too poor to give money but came with their teams and brawny arms, offering them to the enterprise with hearty good will.

The terrible winter of 1856-7 will never be forgotten by the people of Iowa. The storms were unusually freezing and tempestuous; the wind would blow snow half through a haystack; while the mercury twice sunk to thirty degrees below zero in Marshalltown.

The spring of 1857 was late and backward, provisions high, and many new-comers became so discouraged that their farms could have been bought "for a song." Flour was fourteen dollars per barrel, meat and butter could not be bought at any price, the demand so much exceeding the supply. Then to crown all, the wild-cat currency of Illinois and Nebraska flooded the state. Very few merchants were able to stand up against the financial embarrassments of this year, and about all the trade was carried on by swapping articles of value. Three bushels of white beans would buy a calico dress. Under these discouragements the building of the town hall was more of a financial success than the erection of the colossus at ancient Rhodes.

CHAPTER V.

The farmers, whose taxes seemed heavy through the hard times, seeing that the old court house of Marietta would have to be re-built soon, and when Judge Woodbury impressed it upon them that the town hall of Marshalltown was in every part a court house, if they, by their sovereign will, only would vote it so. Marietta came into the field of the spring election of 1858 with the expectation of winning the victory. Marshalltown had not a traitor in her midst, every man was bent on beating her adversary. Old women through the county had mysterious presents of calico dresses, packages of tea and coffee from Rice's and Willigrod's store; bottles of paragoric and snuff from Dr. Glick's pharmacy; ginger and nutmegs from Dunton's and Hambel's grocery, and little pats on their childrens heads from the great men of the city that had a mysterious influence on the election. In no future golden age will women's rights be more triumphant. Yet, with all these drawbacks, Marietta read with astonished eyes the returns of the election in favor of her rival. In spite of this, and gathering energy from despair, she wrote *nil desperandum* upon her escutcheon. Knowing that in a new community there were always some little informalities in making out the returns through the carelessness of farmer clerks, she proposed to find them, so as to throw out votes enough to give her the proper majority. The returns from Marion, Le Grand, and Greencastle townships were not dated, neither were the certificates signed in the proper manner, so that she had quite a good show to contest the election, though she was well aware that a *fair* majority had been given to her antagonist. The returns from Marshall township had escaped the vigilant notice of the watchful guardians of the city's interest. The signing of the *jurat* had been forgotten by one of the officers. A sharp man by the name of Ranney found this out. A secret pledge was made never to reveal the rectifying of the mistake, and old Mr. Rice and Father Dunton, the good Methodist preacher, started to Marietta, after night, to

make the record faithful to Marshalltown. They went to Judge Smith, got the poll book, brought it down to the aforesaid city, poked up the negligent officers, at the dead of night, had the document corrected, and carried the poll book back to Marietta without the secret ever being divulged, until the history of Marshall county was published in 1867. Father Dunton never has explained what pressure was put upon Judge Smith, who was so partial to Marietta. But the poll book was obtained and Marietta people none the wiser. This last piece of *finesse* was acted before the meeting of the board of canvassers upon elections, and Judge Smith acquiesced with the board that Marietta was the veritable county seat.

This aroused the virtuous indignation of Marshalltown. Their tea, tobacco, and whisky had been wasted; something must be done to bring the contumacious board to their senses. Upon certain representations of Rice, Anson, and Woodbury, who might be called the Marshalltown junta, a writ of mandamus was issued by Judge Thompson, presiding over the district court at the April term, 1858, commanding Judge Smith and two justices of the peace, John Turner and Elias Wallahan, to re-canvas the returns of the election, including those of the rejected townships, or show cause why he should not do so, on or before the third day of the term of the court. The counsel for Judge Smith and his confreres was the Hon. Enoch Eastman, of Eldora, afterwards lieutenant governor of Iowa. Judge Smith filed exceptions, and refusing to answer or re-canvas, another writ was issued against him by Judge Thompson, peremptorily ordering him to re-canvas, but this he disobeyed and appealed to the supreme court, where it was argued at the June term of this year, but no decision was reached. In the following December term of this same court, the case came up again. William Penn Clark, of Iowa City, was the counsel for Marshalltown; Hon. C. C. Cole, of Des Moines, for Marietta. Every citizen able to give a dollar was assessed his share of the burden to carry forward the purposes of the junta, and this was cheerfully done in most cases, for houses and lots had a prospective value determined by the decision of the courts.

There was great joy among property holders in Marshalltown when the decision of the lower court was affirmed by the higher authority. The clerk of the supreme court, in the early part of January, 1859, issued a peremptory writ of mandamus to the board of canvassers to re-canvas the election returns of 1858. Judge Smith, John Turner, and Elias Wallahan, esqs., meeting the bankers, lawyers, and real estate men of Marietta in secret council, feloniously threw out the returns again of the rejected townships above mentioned. Judge Smith, afterwards dissented, after getting advice from Cole, of Des Moines, as those returns could not be thrown away upon legal showing. This wavering upon the part of the judge, the action of the board, so exasperated the junta at Marshalltown, that they filed information against Judge Smith, and Justices Turner and Wallahan for dereliction of duty, and these gentlemen were brought down to Marshalltown for trial before Justice Yeaman. On a writ of habeas corpus being issued by the county clerk, J. D. Williams, acting as judge, Messrs. Turner and Wallahan were released, but Judge Smith seems to have been allowed to take his chances. Colonel Hepburn, now of Page county, at this time was the prosecuting attorney in the case, and H. C. Henderson, assistant counsel. Boardman, of Marietta, conducted the defense.

Pending this trial there was great excitement through the county, and the last evening of the proceedings, in a speech made by Boardman, he intimated that Henderson had told an untruth. Of course this exasperated the assistant counsel to a fever heat, so that he neared Boardman with a flushed face, cane in hand, demanding retraction. The town hall was crowded with Marshalltown men. A few Marietta men, in the center, commenced to huddle around their champion. Some one at the door cried out, "Lynch the Marietta rascals!" This was answered by some of the candles disappearing, yet enough were left to show Boardman in the tableau, pale, yet cool as a cucumber, and waiving his right hand with a look that Forest might wear in Coriolanus—"Gentlemen, you can impose upon Marietta and her rights now, but you will

feel differently when the cold steel of a hundred bayonets is passing through your hearts." This *hifalutin* and his coolness seemed to have some effect, for Henderson disappeared, and the crowd, being instructed by Woodbury and Dr. Glick, began to cry out for Judge Smith's blood. Horror stricken at this dramatic mananging, the judge caught Rice by the buttons of his coat and begged to be taken to his father-in-law's house, Rev. Mr. Babcock, a Methodist clergyman. The crowd hooted at him as he went, all being arranged before hand; and with a great show of secresy and apprehension, the judge was hustled into a buggy and driven down to Mr. Babcock's without further delay. In the course of the night, feeling anxious about his situation, as Charles I. before his death, sent for his family to console with him on the chances of his sudden taking off. Mrs. Smith would not trust herself "among the villians," she said, although the escort was her own father. Mr. Babcock, being a Marshalltown man, was hated so intensely by the Marietta people that in going to and fro he was insulted at every step. *Decayed* eggs and rubbish were thrown at his reverend head, without mercy, several times, and to add to his discomfort, the gossips repeated wonderful tales impugning his veracity as he made his different journeys back and forth to Marietta.

[TO BE CONTINUED.]

IOWA GOVERNORS.

IN response to a Missouri subscriber's request to record the names of the governors of Iowa, from the beginning of civil government in her borders to the present time, in the order in which they served, we may say, by way of introduction, that, before the organization of the territorial government of Iowa, in 1838, the acres now called Iowa formed an integral part of the territory of Wisconsin, the governor of which was Henry Dodge (father of Gen. A. C. Dodge), who was afterwards United States senator from Wisconsin, and who re-

ceived his appointment as Governor of the territory of Wisconsin from President Jackson, in 1836.

When Iowa was erected into a separate territory, in 1838, Robert Lucas was appointed governor of the new territory, by President Van Buren. He was succeeded early in 1841, by John Chambers, who received his appointment from President Harrison, and served four years, and until succeeded by James Clark, appointed by President Polk, in the spring of 1845, who held the office till December 31, 1846, when the state government went into operation, with Ansel Briggs as governor, who served as such till December, 1850,—one term, the terms of office of the governors under our former constitution being for four years. Briggs was succeeded by Stephen Hempstead, who served one term, ending December, 1854. Next came James W. Grimes, who served as governor from December, 1854, to January, 1858. During this official term was adopted the present constitution, which reduced the term of governor from four to two years, making it begin on the second Monday in January of the even years, and shortening, by about one year, Grimes's gubernatorial career, which came to a close in January, 1858. Ralph P. Lowe was the first governor elected under the present constitution, and served one term, ending January, 1860. Lowe was succeeded by Samuel J. Kirkwood, who was the first executive of Iowa honored by a re-election, an innovation which has thus far been continued to his successors. Kirkwood's second term closed in January, 1864, and he was followed by Wm. M. Stone, who also served as Governor two terms, ending January, 1868, to be succeeded by the present executive, Samuel Merrill, whose second term will end in January, 1872.

Thus it will be seen that Iowa, since she became a separate territory, has had ten executives—three territorial governors, acting during a period of seven years and a half, ending December 31, 1846; three state governors under the "Old Constitution," acting during a period of eleven years, ending January, 1858; and four state governors under the present constitution, acting during a period of fourteen years, to be completed January, 1872.

MASONIC MAGAZINE.

SINCE the 1st of January, THE EVERGREEN, the organ of the masonic fraternity of Iowa, under the editorial conduct of Prof. T. S. Parvin, and his associate, Mr. W. B. Langridge, and the typographical management of Messrs. Griggs, Watson, & Day, has assumed such an air of exterior beauty, and acquired such an attractive interior interest, that to look at it is to read, and to read it is to forget that you have looked. The profound ability of the editors is well seconded by a troupe of entertaining correspondents, the chiefest of whom is Hon. Z. C. Luse. Containing, as THE EVERGREEN does, a "Family Department," devoted to general topics, besides its pages given up to masonic news and lore, it commends itself not alone to members of the order, but to all who have interest in pure and elevating literature.

— We present, as the frontpiece of this number, the excellent steel-engraved likeness of our friend and contributor, Hon. Charles Nugent, of Fairfield, whose articles on "The Early History of Iowa" have imparted interest to the *Annals* for so long a time. The portrait would have appeared incomplete unaccompanied by a sketch of Judge Nugent's life, and we only regret that his modesty prevented our procuring a fuller biography of him.

— A portrait and biography of the late John Chambers, the second territorial governor of Iowa, will appear in the next number of the *Annals*.

— Some very objectionable typographical mistakes occurred in the January number, some of which are obvious, while others need correction. In the sketch of Col. Garrett, on line sixth of page 431, for *Honorable*, read *Honorable*; on twenty-first line, same page, for *Alameda*, read *Alameda*; seventh line from bottom, same page, "look upon" should read, look up; page 433, seventeenth line, for "Gen. Casey's," read Gen. Casey's.

EDITORIAL NOTES.

— WE are glad to receive back, as a contributor, Mr. J. E. Griffith, late of the United States engineer corps, but now fallen back on his reserved rights as a citizen. Mr. Griffith is now in charge of the government locks in process of construction at Keokuk (a work which he formerly had partial control of as an army officer), under a much larger salary than he received as a lieutenant of engineers, showing in what high estimate his scientific abilities are held by the government he has served so gallantly and faithfully. His article on "*The Magnesian Limestone of Iowa*," of whose value he has a practical knowledge, has a peculiar interest at this time, when the capitol commissioners have under consideration the subject of building material for the new state house, and we commend his statements, as published in this number of the ANNALS, to their attention.

— WE most heartily welcome Hon. D. C. Bloomer, of Council Bluffs, and Mr. E. Booth, of Anamosa, to our constantly increasing corps of correspondents. The History of Pottawattamie County, which Mr. Bloomer commences in this number, will have more than a passing value. Mr. Booth's article, which we are compelled to defer the publication of for the present, will lose none of its interest in the July number on account of its reminiscence of Gov. Chambers, whose portrait will appear at the same time.

— WE present, as the frontispiece of this number, the excellent steel-engraved likeness of our friend and contributor, Hon. Charles Negus, of Fairfield, whose articles on "The Early History of Iowa" have imparted interest to the ANNALS for so long a time. The portrait would have appeared incomplete unaccompanied by a sketch of Judge Negus's life, and we only regret that his modesty prevented our procuring a fuller biography of him.

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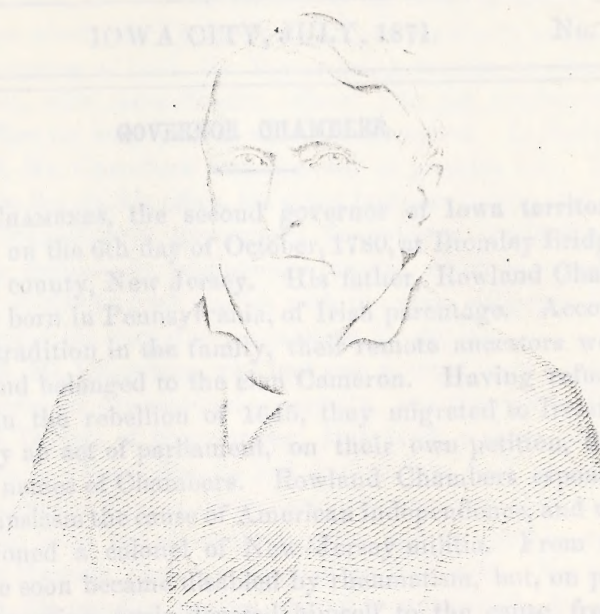
ANNALS OF IOWA.

VOL. IX.

IOWA CITY, IOWA, 1872.

No. 3.

GOVERNOR CHAMBERS.



JOHN CHAMBERS, the second governor of Iowa territory, was born on the 24th day of October, 1780, in Honesdale Bridge, Somerset county, New Jersey. His father, Rowland Chambers, was born in Pennsylvania, of Irish parentage. According to a tradition in the family, their remote ancestors were Scotch, and belonged to the clan Cameron. Having joined to join in the rebellion of 1776, they migrated to New York, where, by way of subsistence, on their own petition, they took the name of Chambers. Rowland Chambers was filled with enthusiasm for the cause of American independence, and was commissioned a captain of militia. From exposure he soon became ill, and died, but, on partially recovering, again devoted himself to the cause, freely appropriating the produce of his farm to the use of the army, and expending his means without stint. At the close of the war, reduced in circumstances, he emigrated to Kentucky and settled in Washington, then the county seat of Mason county.

John Chambers, the youngest of seven children, was then four or five years of age, and was by the family settled in their new home. The following spring was sent to Transylvania Seminary, Lexington, Kentucky, where he remained for less than a year, and returned to his home. Two years later he entered

John Chambers

ANNALS OF IOWA.

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GOVERNOR CHAMBERS.

JOHN CHAMBERS, the second governor of Iowa territory, was born on the 6th day of October, 1780, at Bromley Bridge, Somerset county, New Jersey. His father, Rowland Chambers, was born in Pennsylvania, of Irish parentage. According to a tradition in the family, their remote ancestors were Scotch, and belonged to the clan Cameron. Having refused to join in the rebellion of 1645, they migrated to Ireland, where, by an act of parliament, on their own petition, they took the names of Chambers. Rowland Chambers espoused with enthusiasm the cause of American independence, and was commissioned a colonel of New Jersey militia. From exposure he soon became disabled by rheumatism, but, on partially recovering, again devoted himself to the cause, freely appropriating the products of his farm to the use of the army, and expending his means without stint. At the close of the war, reduced in circumstances, he immigrated to Kentucky and settled in Washington, then the county seat of Mason county.

John Chambers, the youngest of seven children, was then fourteen years old. A few days after the family settled in their new home he found employment in a dry goods store, and the following spring was sent to Transylvania Seminary, at Lexington, Kentucky, where he remained for less than a year, and returned to his home. Two years later he entered

a new field of labor, destined, under providence, to exercise a controlling influence upon his after life. Francis Taylor, Esq., a practising lawyer of the Mason county bar, was elected, about this time, to the clerkship of the district court, and in the fall of 1797 Mr. Chambers became his deputy. The duties of the office at that time being light, and the law library of his employer at hand, he devoted himself to the study of law, a profession for which Mr. Taylor thought him peculiarly adapted.

In the spring of 1800, Mr. Taylor being anxious to remove to his farm, some miles distant, offered him the emoluments of the office for his services, which he accepted. In November, 1800, Mr. Chambers was licensed to practice law. His training in the clerk's office, his strict business habits, and his general acquaintance throughout the country, made him a promising aspirant for professional success, which he speedily achieved, continuing his studies with the same diligence that characterized his period of preparation for the bar.

In 1803, Mr. Chambers, who had now entered upon a career of uninterrupted professional prosperity, was married to Miss Margaret Taylor, of Hagerstown, Maryland, a sister of the gentleman in whose office he had studied law, and daughter of Major Ignatius Taylor, of the revolutionary army (Maryland line). She lived but about three years, and, in 1807 he married Miss Hannah Taylor, a sister of his first wife. Not long afterward, his practice having proved remunerative, he embarked in the manufacture of bale rope and bagging for the southern market. In this he incurred heavy losses, recovering, however, by energy and prudence, without loss of credit.

When, in 1812, the United States deemed it essential to the national honor to declare war against Great Britain, there was great excitement in Kentucky, and men of capacity and character were demanded for the public service. Mr. Chambers was chosen to represent his county in the legislature, and would have been returned at the next session, but declined. The war had begun, and General William Henry Harrison, then governor of Indiana, was invited by the authorities of Kentucky to take command of her troops, then being

organized to defend Ohio from the forays of the British, aided by their savage allies. After the defeat of Winchester, Governor Shelby, who had volunteered to lead the Kentucky troops in person, offered Mr. Chambers a place on his staff, which he was compelled to decline, having previously promised General Harrison to accept a position on his staff, to which he had been recommended by officers of the regular army who knew him. Being summoned by the general to the front, he joined him about the 1st of September, at Camp Seneca, on Sandusky river, and was announced next morning, in general orders, as aid-de-camp to the commander-in-chief, with the rank of major. He remained with General Harrison until the close of the campaign, rendering efficient service in the battle of the Thames, for which he received a letter of thanks from the general, and honorable mention in his dispatches to the secretary of war — especially for gallant conduct in the pursuit of the British General Proctor, who, in the language of the dispatch, "only escaped by the fleetness of his horses," one of which, a grey Canadian of great power, fell to the lot of Major Chambers, and died, many years after, on his Kentucky farm, in the peaceful service of his captor.

In 1815 Mr. Chambers was again elected to represent his county in the state legislature (lower house), his brother, James Chambers, being elected, at the same time, to the state senate from the same county. The pressure of professional engagements, and the care of a growing family, deterred him from again entering political life until 1828, when the selection of General Thomas Metcalfe as the whig candidate for governor of Kentucky caused a vacancy in the congressional representation of the district, and Mr. Chambers was nominated to fill the vacancy. He was elected, and served out the unexpired term of Governor Metcalfe, but refused to be a candidate for re-election.

From 1830 to 1832 he was again called by his fellow-citizens to serve them in the state legislature. The credit of the state was at a low ebb. Stay laws and relief laws had done

their worst. It was necessary, by proper legislation, to redeem the commonwealth from the reproach brought on her by these embarrassments. A bill was introduced by Mr. Chambers, the effect of which was to greatly increase the revenue tax of the state. He knew it to be absolutely essential to the honor and prosperity of the state. The question how this measure would affect his popularity at home did not belong to his political catechism. He went into office untrammelled, and was ready to meet his constituents, and stand or fall by his record. He advocated the measure, it passed, and was subsequently called, by his political opponents, "Chambers's Tax Bill." At the first county court after his return from the state capital he was violently assailed by those who had opposed his election, about his oppressive tax bill. Their clamor was unheeded until the business of the court was over. Coming out in the evening upon the public square, where, according to the custom of the country, hundreds of men were assembled, he inquired who his assailants were. Two persons in the crowd soon responded. He listened patiently to their harangues, and asked, "Who else complains of excessive taxation?" There being no reply, he said, in a tone which was distinctly heard by the whole crowd: "I am proud, fellow-citizens, of this silent approbation of my course. Only two of you have complained, and they, I presume, cannot be in earnest, since, to my certain knowledge, neither of them has paid so much as a poll tax on his worthless head for five years." The writer of this sketch was present, and heard the hearty cheers which welcomed the rebuke and endorsed the public servant who had acquitted himself with honor by doing what the exigencies of the commonwealth required. We have given this anecdote because it is eminently characteristic of the man. He esteemed the approbation of his own conscience a far higher reward than popular applause.

In 1832 Mr. Chambers was offered a seat on the bench of the supreme court of Kentucky, but declined it. Again, in 1835, he was nominated by the governor to the senate for the same office, and confirmed, but was obliged to resign before

he had taken his seat, in order to restore, by a more active life, his health, which had become seriously impaired.

In 1832 he had suffered the loss of his wife. She was a lady of cultivated mind and elegant manners, and had made his house a happy and attractive home.

In 1835 he was again elected to represent his district in the congress of the United States. He was re-elected in 1837, and served until the close of the 25th congress, in March, 1839. Of the part he took in congress, it is only necessary to say here that it made reputation for him in a district where the standard of intelligence was as high as in any other in the state. And it is a sufficient compliment to his ability and industry as a legislator to say that he succeeded the Hon. Elisha Whittlesey (so long and favorably known in that position) as chairman of the committee on claims, one of the most laborious and responsible positions in the national legislature.

General Simon Kenton, the celebrated pioneer and Indian fighter, having become infirm and poor, had, by the advice of his friends, applied to congress for a pension; but as his claim did not come under any general law, his repeated applications failed, and the brave old man had despaired. Learning that Mr. Chambers, whom he had known well as a neighbor in Kentucky, was in congress, he took heart again, and renewed his application for a pension. Mr. Chambers, whose sympathy was at once thoroughly enlisted, introduced a bill for that purpose, and urged its passage in a speech. He drew a thrilling picture of the veteran woodsman's daring career in his country's service, and described the penury and neglect into which he had fallen in his old age. The appeal was heard with profound interest. The nation's law-makers were for the first time aroused to a sense of justice toward this remarkable man, and the bill was passed by an overwhelming vote.

The writer of this sketch was present when General Kenton presented himself at the law office of Mr. Chambers, having walked all the way from his home on Mad river, in Ohio, to thank his friend. He was neatly clad, his white hair stream-

ing over his shoulders, and his countenance wearing an expression of unwonted complacency and comfort. As he straightened himself up to his full six feet two inches to receive the cordial greeting extended to him, he said, with tremulous voice: "John Chambers, you gave me shelter when I had no home, money from your purse when I was penniless, and now you have——" Here the old man broke down without even reaching the subject of the pension, and brushed away the tears that filled his eyes; while Mr. Chambers said, cheerfully, as he led him to a seat: "Come, general, you are too old now to make a set speech. I understand and appreciate your feelings, and am glad to see you looking so well. I reflect on no incident of my life with more pleasure than my successful appeal in behalf of a public servant who deserves well of his country."

Between 1815 and 1828, Mr. Chambers held for several years the office of commonwealth's attorney for the judicial district in which he lived. He was, during that period, at the zenith of his reputation as a lawyer and advocate. He met the giants of the Kentucky bar in important civil and criminal trials. He contested with such men as Rowan and Hardin and Barry for the honors of the profession, and if success be the measure of ability, he had no reason to be ashamed of his record. His well known high sense of honor, and his contempt for professional chicanery, commanded the respect of his legal compeers. His appearance and manner were dignified, his tone calm and impressive, and his language singularly direct and vigorous. The impression he made on a jury was not easily counteracted, and his efforts were attended with remarkable success.

Mr. Chambers closed his congressional career in 1839, with the purpose of resuming the practice of law, but his old friend, General Harrison, was announced by the whig party for the presidential campaign of 1840. Mr. Chambers was one of a few of the general's companions in arms who could give authoritative denial to the infamous slanders circulated by his political enemies. Accordingly, at the general's earnest re-

quest, he consented to attend him throughout that memorable canvass, and in many a stirring speech, before immense throngs of people, presented the claims of his old commander. When inauguration day approached, a private letter from the president-elect summoned him to North Bend, whence he accompanied him to Washington, where he remained until the arrival of the president's private secretary, whose duties he had temporarily performed.

While in Washington, Mr. Chambers was urged by President Harrison to accept some office requiring his residence there. This he declined, but afterwards accepted the appointment of governor of Iowa. On the 13th of May, 1841, he entered upon the duties of his office. His success in his administration of the affairs of the territory was well attested by the approbation of the people, and by the hearty commendation of those in authority at Washington, especially for his management of Indian affairs. During his term of office he found it necessary, on several occasions, to suppress the intestinal feuds of the red men, which he did with such firmness and decision that quiet was promptly restored where war seemed imminent. Governor Chambers was repeatedly called on to treat with the Indian tribes for the purchase of their lands. In October, 1841, he was commissioned jointly with the Hon. T. Hartley Crawford, commissioner of Indian affairs, and Governor Doty, of Wisconsin, to hold a treaty with the Sacs and Foxes, which, however, did not result in a purchase. In September, 1842, being appointed sole commissioner for the same purpose, he succeeded fully in carrying out the wishes of the government. In 1843 he held a treaty with the Winnebagoes, but in this instance no result was reached.

In 1844, his term of office having expired, he was re-appointed by President Tyler, but was removed, in 1845, by President Polk, to make room for Governor Clark, whose political faith (unlike Governor Chambers's) was in accord with that of the president. Shortly afterward, with greatly impaired health, he returned to Kentucky, where, with skillful

medical treatment and entire relief from official cares, he partially recovered.

During the few remaining years of his life, Governor Chambers's recollections of Iowa were of the most agreeable character. He spoke gratefully of the reception extended to him by her people, and often referred with great kindness to his neighbors in Des Moines county. Indeed, there were many pleasant circumstances attending his residence there. He was much interested in the improvement of his beautiful farm, six miles west of Burlington. His social and official relations were all harmonious. The responsibilities of his office he, of course, could not divide, but its labors were greatly lightened by the systematic industry and intelligence of his private secretary, Mr. J. O. Phister, a native of Maysville, Kentucky, who remained with the governor during his entire residence in Iowa, and enjoyed his confidence and friendship then and ever afterwards.

Governor Chambers's infirm health forbade his engaging in any regular employment after his return to Kentucky, but in 1849, at the solicitation of the commissioner of Indian affairs, he negotiated, jointly with Governor Ramsey, of Minnesota, a successful treaty with the Sioux Indians for the purchase of lands.

The latter years of Governor Chambers's life were spent mostly with his children, whose affection and respect were the chief conditions of his happiness. During a visit to his daughters, in Paris, Kentucky, he was taken sick at the house of his son-in-law, C. S. Brent, Esq., and, after a few weeks, breathed his last on the 21st day of September, 1852, in his seventy-second year.

Governor Chambers's private career was marked by a generosity which was limited only by his means, and was, in fact, the predominant trait in his character. His house and his purse were alike open to every worthy claimant of his bounty. He seemed utterly incapable of any sordid motive. His benevolence gave rise to many pleasant incidents, recalling acts which he had forgotten. On one occasion his fam-

friends this brief sketch was written, and to them (not to the
critical public) the writer respectfully presents it.

ily discovered that he wore a handsome diamond breast-pin in addition to the less costly one he usually wore. On inquiry they found that he was unconscious of the fact, and was at a loss to account for it; but, on reflection, he remembered that a young gentleman had, a few hours before, pretended to examine closely the breast-pin he was wearing, and next day charged him with the surreptitious present. The reply was: "Yes, sir. I knew your aversion to accepting presents, and therefore did not venture to tender this formally. Years ago you performed valuable legal services for my father, and refused compensation, because you knew he was in straitened circumstances. But you will not refuse to wear this to remind you of my father, and of the gratitude of his son." On another occasion, in traveling through the far west, he found a namesake at an humble farm-house where he had stopped for the night. In answer to a question, the boy's mother said he was named for a lawyer in Kentucky who had helped her family when they were in trouble. She was wholly unconscious that her guest was the identical Kentucky lawyer of whom she spoke.

Governor Chambers furnished a beautiful example of filial love and duty. As early as his fifteenth year he was partly charged with the care of his mother, a woman of high character and strong intellect, whom he fondly loved, and to whose comfort and happiness he devoted himself with untiring assiduity throughout her long life. He was a man of iron will, and somewhat stern in his bearing, but always ready to unbend at the call of hospitality, and always ready to mingle cheerfully in the family circle.

Although often before the people, he was never defeated in a popular election; yet he never descended to any of the arts of demagoguery to secure popularity.

It has not been deemed necessary to include here an extended account of Governor Chambers's official connection with Iowa territory. The desire has been warmly expressed by some of his contemporaries to know more of his early life, and to have his portrait placed in this work. To gratify these old friends this brief sketch was written, and to them (not to the critical public) the writer respectfully presents it.

REMINISCENCES OF TWENTY-SEVEN YEARS AGO.

BY EDMUND BOOTH, ANAMOSA, IOWA.

THE intimation that a biography of Governor Chambers, one of the territorial governors of Iowa, would appear in the July number, brings to mind, and rather vividly, the circumstances of the time, now twenty-seven years since and six years after the country was thrown open to settlement by the government, securing what was then known, on the maps, as "The Black Hawk Purchase."

In February, 1844, matters, needless to mention, led me to go south as far as St. Louis. No railroads being in existence in the west and the Mississippi being frozen, the only course was *via* Iowa City. The territorial legislature was then near the close of its session. Stopping there two or three days gave opportunity to look around and incidentally to make a few acquaintances. Being about to start next morning, the assistant clerk of the house suggested that as the session was near its end, business hurried, no enrolling or engrossing clerk being provided for by congressional law, and therefore no such indispensable personage in existence, an effort be made to supply the deficiency. He proposed that the writer hereof remain a few hours with that view. Of course no objection was made, and the next morning a resolution passed the house accordingly.

I do not propose to bore the reader with legislative debates, proverbially dreary, but to give some incidents indicative of the surroundings and circumstances of that period.

Chambers was governor and Burr was secretary of the territory. Chambers was a large, well proportioned man, with large head, and face corresponding, his face that of a man self-possessed, of pleasant and social nature and of great strength of character. Burr, also, was large in frame but not near the size of the governor. He, too, was of agreeable looks, in fact was what we usually call a good fellow. One

thing bothered him. He was on duty but had not been confirmed by the senate, and on this point he manifested some anxiety. Before the close of the session, however, the news of his confirmation arrived and he was relieved of all further uncertainty.

Near the city — Iowa City, for that was then the capital of the territory — was a band of Sacs and Foxes. One day Governor Chambers came into the House, arm in arm with the chief of this band. The two advanced within the bar and took a seat, the second from the bar. The house was in session and business proceeded, but there was a complete relaxation as soon as this unexpected freak, or whatever you please to call it, of the governor's occurred. The chief, like the governor and secretary, and as is usual with men who attain eminence by native force of character, was of large size, that is to say, larger than his fellows. He was dressed in full Indian costume and as became his rank. The most noticeable feature was his head dress. His cap, or whatever it might be called, showed little else than a dense row of plumage, four or five inches wide, and extending across from front to rear. The colors were varied, but vermilion predominated.

The moment the governor and chief were seated the latter commenced a series of antics that kept the entire house in a sort of half-amused smile, and the speaker, Morgan, known by the nick-name of "Little Red," from his low stature and red hair, behaved no better. First the chief hastily took off his head covering with both hands and set it on the floor in the passage; adjusted his hair or scalp lock; took up the cap, or whatever the thing might be, and set it in place on his caput. In an instant it was wrong and he removed and set it down again, and so it went for some minutes, the governor watching him good humoredly, as did most of the members, business proceeding meanwhile quite languidly. The chief's vanity probably had abundant gratification through all this process, but there came a sudden change. The door opened and a score or so of red skins, the chief's band, began to file in. The speaker rapped to order, and, as well as the entire

house, assumed a stern expression. The sergeant-at-arms hurried to close the bar and planted himself there. The governor assumed a slightly dignified attitude, and the chief, so childish a moment before, seemed to understand the situation, placed his head covering on his head for the last time, and sat gravely and with proper decorum until the governor arose and the two retired together. I may as well state here that roving Indian bands were common at that period, and no surprise, and hardly any attention, was excited by their presence.

In this house was James W. Grimes, then a young man and previously unknown in Iowa politics. He was, at the time, regarded as leader of the whig side of the house. Thos. Rogers, of Dubuque, also a young man, was leader on the democratic side. Both were slender in appearance, but Rogers was quick and vigorous, and Grimes indolent and negligent of appearance. Years have changed them.

It was during this session, and for the first time in an Iowa legislature, that the woman question came up. That question had begun to be agitated and the agitation had extended to Iowa. Petitions to allow women to vote were in vogue and an afternoon was set for discussing the matter. The house assembled and a good number of ladies of Iowa City took seats among the members, there being a small lobby but no gallery. I could not but notice that the aspect of the ladies was different from their every-day appearance in that body. They seemed to belong to the thoughtful class. There was nothing of the gay or frivolous or desire of show in their dress or looks. They sat silent, eyes downcast for the most part, lips almost compressed as if resolved to endure under wrong, and yet possessed of resolution to have the wrong righted in the end, however distant that end might be. Understand, they did not strike me as of Amazonian nature or anything like it, but true, noble women, conscious that the customs of society, remnants of the barbarian past, kept them in a false position. In short — and I am not joking — they seemed like so many Eves on trial for stealing apples, and before judges equally guilty and the Eves knew it.

The discussion commenced. It was in the style of twenty-seven and more years ago and need not be repeated. Few members spoke. Doubtless there were those who felt that it was a large subject, too large for the time to settle or dispose of, but two or three went into regular spread-eagleism and aired their shallowness, their conceit and their devotion to women, as a parlor ornament.

It was at this time that William Crum published the Iowa City *Standard*, a sterling good paper, there being, if I remember correctly, not more than six papers published in the then territory. A. P. Wood, then a young man, was editor of the *Standard*; so it was understood, for his name did not appear in its columns. Van Antwerp, if I do not err, published the *Iowa Capitol Reporter*. The first was whig and the last democratic. Van went by the name of "Old Growler," from his growling propensities. By the way, and a few months subsequently, I had charge of the post office at Fairview, in the absence of the post master. A subscriber to the *Reporter* had vainly tried to stop his paper by repeatedly sending it back. At last some one wrote on the envelope and re-mailed the paper to the publisher:—

"Old Growler! are you deaf or blind?
Canst see, canst hear? Well then, now mind;
For Henry Mahan, of Fairview,
Pray stop your paper, Growler, do.
Vain are your hopes from him of spoil,
And vain for him your midnight oil;
Dost doubt? Then send your lawyer here;
He'll back return with flea in ear."

It was all in vain. Old Growler was incorrigible. How it finally ended I do not know; but the subscriber removed farther west, three or four years later, possibly as the only way to stop his paper.

The legislative session closed and the members hurried off, most of them glad to escape, for the city was but small, a few scattered buildings along the three sides of the square and the stone state house, now one of the university buildings, forming the base. Burr, the secretary, the writer, and a third

man, slim in make, engaged a two-horse buggy and a negro as driver, to convey us to Burlington. We started accordingly. It was the month of March, the weather bright and pleasant and the roads good. Through that ride of two days it was one continuous prairie, with a few thinly scattered groves of scrub oaks. The buildings were of logs and these were exceedingly rare; except at Wapello and Grandview, the whole number could not exceed a half dozen in the eighty miles traveled.

Where we passed the night after the first day's ride, I do not remember, but Burr's impudence prevents my forgetting that it was a lone log house on the prairie. The occupants were a man, his wife and daughter, the last about seventeen or eighteen. For the situation and surroundings, all passed well; supper, lodging, and breakfast, each satisfactory. But while the good woman was preparing the morning meal the daughter came down—or came from somewhere. It was in the days when ladies' dresses were fastened behind. The mother, it appeared, had no time to fasten the girl's dress. Burr arose, in his lively good humoured way, and, remarking that he always fastened his wife's corsets, proceeded to fasten those of the girl. The latter stood quiet and with the most innocent air, while the Secretary of the Territory of Iowa went as deftly through the operation as though it was his daily business. That done, he resumed his seat, looking slightly as one who thought he deserved a scolding. Soon he got over it and chatted away as before.

At Wapello, then consisting of a few dwellings and a big frame tavern, too big for the place, we met Senator Springer who had reached home the day previous. His office—he was a lawyer—was a frame shanty, a little larger than a hen coop, and I marvelled slightly at finding him in, as it then appeared, so unpromising a spot.

Leaving Wapello, we drove down to the river. The mild weather had thinned the ice; and the team, under charge of the black driver, was sent up stream two miles to a safer crossing. Each of us procured a stout pole, some ten to fif-

teen feet in length, and holding these *a la Blondin*, proceeded to cross the uncertain ice bridge. Not a house nor a mortal was in sight, and should the ice give way — what?

Burr took the lead, stepped carefully forward and proceeded along with the same care. I followed a rod behind, and the slim man brought up the rear at an equal distance. We were midway across, stepping quickly and lightly, Indian fashion, each holding his pole horizontally as a support in case of a plunge. Suddenly my boot heel went through; I drew it out and kept on, for it was no time to dally, but the slim man stopped in affright and spoke. Burr stopped, turned with anxiety on his face and an almost angry shake of his head; I glanced back, saw the look of terror on the slim man's countenance and the exact impress of my boot heel through the thin ice; looked again at Burr, and here we were, all three standing stock still. The whole thing, for the moment, was excessively comical, and in spite of the danger I exploded. Burr looked around thoughtfully and changed his course. I followed as before, and the slim man made a *detour* to avoid tumbling into the boot heel hole behind me. Finally we reached the bank safe. In a half hour the team came along and we proceeded on our way.

Arriving at Burlington, the driver, a good looking and skillful driver I should add, was paid off and our company separated. The city, like all our river cities of that day, was mainly a single street and abundant gaps between buildings. It had a good and commodious court house and well furnished. Here Judge Williams was holding court. Proceeding to Keokuk, then frequently mentioned in the public prints, I felt some disappointment to find it consisted almost entirely of a hotel. But the hotel was first class for the time and place, built on a steep hill side and almost at the water's edge. Here the river was open and I was enabled to take steamer southward.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

(Continued from page 485.)

THE MORMONS — THE FIRST SETTLEMENT OF THE WESTERN
SLOPE OF IOWA.

On the fifth of June, 1846, the Pottawattamic Indians, who occupied the western slope of Iowa, sold their lands to the United States. Up to that time but little was known of the western part of the state.

The Sacs and Foxes, by the provisions of the treaty of 1842, had the right to the possession of the lands, they had sold, which lay west of Red Rock, till the first of May, 1846, and the Pottawattamies, in their sale, reserved the right to occupy the country on the western slope for a period of two years. But by a train of circumstances, not anticipated, these lands were taken possession of by the whites, and settlements made some time before the Indians left the ceded territory.

The Mormons, a religious sect, who had built up a town at Nauvoo in Illinois, numbering about twenty thousand persons, on account of some difficulties which they had had, were under the necessity of leaving that place and to seek a new location for building up the "Church of Latter Day Saints." After these troubles in Illinois, many of this religious denomination crossed over the Mississippi into Iowa, and started west. As the Mormons had quite a prominent part in the settlement of the western part of the state, it may not be uninteresting to go back and take a brief view of their history previous to this time.

The origin of the Mormon religion bears date about the year 1830; and originated with a family by the name of Smith, who at that time lived in Ontario county, New York. The family was represented as being unprincipled, idle, ignorant, and superstitious, believing in ghosts, witches, fortune-telling, &c. They first attracted attention by having what they called a "peep stone," which, when placed in a hat,

Joseph Smith, Jr., who may be said to have been the founder of the Mormon religion, by putting his face into the hat so as to exclude the light, professed to be able to see anything he wished. In this way he told where lost property could be found, and also, where there were hidden treasures.

While thus employed with his "peep stone" he discovered the plate on which was engraved the Mormon bible.

These plates were represented as being about eight inches square, made of a yellowish metal, about the thickness of sheet tin, and fastened together in book form by three rings passing through the back. These plates were said to have been covered with divers wonderful characters, unlike anything of modern date, which were beyond human power to interpret.

But young Smith, by the aid of divine inspiration, assisted by two or three others, succeeded in interpreting the plates, and produced the Mormon bible.

When Smith had got his new bible published, he zealously labored to sell his book and make proselytes.

He fell in with Sidney Rigdon, a minister of the Campbellite church, an eloquent and able debator, who resided in Kirkland, Ohio. Rigdon became a convert and entered into all the schemes which had been originated by Smith; and by the aid of Rigdon, and others, Smith soon had quite a band of followers.

It was resolved to make Kirkland their head quarters, and all of the Smith family moved to that place, and laid their plans for building a large city, and commenced to erect a temple. But young Joseph Smith came to the conclusion that this was not a suitable place, and Independence, in Jackson county, Missouri, was selected, and a city was laid out at this point, which was called Zion. In a period of about two years there settled in Jackson county, about twelve hundred Mormons. They had a printing office, a mercantile establishment, which they called the "Lord's store-house," and several mechanical shops established in Independence. And while the

town was made their head-quarters, Mormon settlements were made all over the county.

One Edward Patridge was appointed bishop over the new colony, and controlled and exercised authority over the spiritual and temporal affairs of the Mormons at that place, but in all his acts was obedient to the revelations of Smith.

The Missourians were not well pleased with their new neighbors, and soon serious difficulties began to arise.

The citizens of Jackson county became alarmed at the growing power of this sect, and came to the conclusion to rid themselves of this fanatical people. On the 20th of July, 1833, the Missourians, some four or five hundred in number, held a meeting at Independence, at which they prepared an address to the public, setting forth their grievances, and passed resolutions "that no Mormons shall in future move into and settle in the county."

"That these now here, who shall give a definite pledge of their intention, within a reasonable time, to remove out of the county, shall be allowed to remain, unmolested, until they shall have sufficient time to sell their property and close their business without any sacrifice."

By this resolution the editor of their paper was required to, forthwith, close his office and discontinue his business, and the Mormon leaders were required to use their influence to prevent any further immigration of their brethren to the county. The resolutions also required that all the shops in the place should be closed, and the owners to speedily wind up their business, and leave the county.

The meeting then appointed a committee to wait on the Mormon leaders and inform them of the proceedings of the meeting, and that it was their unwavering determination to carry their resolutions into effect.

The meeting now adjourned to give the committee an opportunity to have a conference with the Mormons, and having performed their duty, in about two hours the meeting again convened to hear the report. The committee reported that they had waited upon the bishop, the editor, the "keep-

er of the Lord's store-house," and others, who declined an immediate answer, but wished for time for consideration, and to consult with their brethren in Ohio.

On the reception of this report, it was unanimously resolved to raze the printing office to the ground, and the meeting immediately repaired to the spot and accomplished the work.

They then adjourned for three days, when a much larger meeting was convened, and another committee appointed to wait on the Mormon leaders.

This committee reported, that they had made an amicable agreement with the Mormons, and had also assured the editor of their paper, whenever he was ready to leave the county they would indemnify him for all his losses.

The substance of this amicable arrangement was, that the Mormons should immediately leave the county, and use all their influence to dissuade others from coming there, and the Missourians were not to disturb them while closing up their business.

This quieted the Missourians for the time, but the Mormons made no preparations for moving, and applied to the governor of the state for protection. To this the governor replied, that it was not his province to act in their behalf, until they had resorted to the laws, and ascertained that they could not be enforced.

The Mormons commenced civil suits for the loss of their property; from which the Missourians came to the conclusion that the Mormons did not intend to live up to their part of the stipulations, and early in the fall the Missourians again began to commit depredations. Some forty or fifty of them fell upon a small settlement in the out-skirts of the county, whipped some of the men, scared the women and children from their homes, and unroofed their houses. They next made an attack upon the "Lord's store-house" and the dwelling of its keeper, and for several days there were men, on both sides, constantly under arms, and two of the citizens and one Mormon were killed. As soon as these difficulties had

happened, messengers were sent to Kirkland, Ohio, greatly magnifying the outrages which had been committed. On receiving this information, the prophet (Joseph Smith, Jr.) immediately set himself to work to give them relief, and issued a general proclamation to all the churches, calling on them for aid. In the meantime the Mormons in Missouri, undertook to get redress from the courts, and to inflict the penalties of the law on the rioters, and the governor called out the militia of an adjoining county to protect the witnesses in their attendance at court. But it seems that no grand or petit jury could be got, without getting some persons on it who had been implicated in the outrages, and redress for the Mormons from this source proved a failure.

There was a force collected at Kirkland, which started on the first of May, 1834, well equipped with the implements of war, for the relief of their brethern in Missouri; and as they proceeded on their way, others joined them; so that when they got into Missouri they numbered two hundred and twenty men, under the immediate command of the prophet. But before they got to the head-quarters of their brethren in that state, they were met by two gentlemen, as a committee from the Missourians, for the purpose of inquiring into the object of this military display. Smith and his followers, were warned of the results, which would necessarily follow, if they proceeded in their hostile undertakings. They were told, that not only the citizens of Jackson county, but those of other counties, would combine, and the result would be the entire slaughter of all the Mormons. It seems, Smith thought discretion the better part of valor, abandoned the enterprise, and disbanded his army. The Missourians, while the Mormons were marching into their state, had not been idle spectators; for the citizens of Jackson county raised a force equal to that of Smith's, and were ready for action.

But in order to adjust these difficulties they appointed a committee to visit the Mormons for the purpose of effecting a settlement. They proposed to the Mormons, that they would have their property appraised, and they would buy at the

appraised value all their lands in Jackson county, on conditions that they would leave the county; or they would sell their lands to them and leave the county themselves. After much negotiation the Mormons concluded to abandon Jackson, and take up their residence in Caldwell county, then unorganized.

In this county this people took up their abode, laid out a new town, which they called "Far-West," and enjoyed quiet for the most part of the time, and were prosperous till the fall of 1838. By this time they had become quite numerous, and were in possession of much real estate in the western part of Missouri. But they could not live in peace with their neighbors, depredations were constantly being committed upon each other, and feelings of revenge were carried to such an extent, that they got up, on a small scale, a civil war, and several persons were killed. The executive authority was called into requisition, and his excellency, Lilburn W. Boggs, then governor of Missouri, called out the militia to quell the disturbances. General John B. Clark, was appointed commander of the militia, about four thousand five hundred in number, with instructions from the governor, if he should consider it necessary to the permanent establishment of peace in the state, "to exterminate the Mormons, or drive them beyond the boundary lines of the state."

When this force was brought against the Mormons, they gave up the contest, grounded their arms, and submitted to the decisions of the executive authority.

Many of the leading men were held as prisoners, on charge of treason, while the others were required to immediately abandon their property and leave the state. This severe course, on the part of Governor Boggs, greatly exasperated the Mormons, and particularly the prophet, against him.

Forcing the Mormons, at this time of the year, to immediately abandon their homes, caused a great sacrifice of property, and much suffering, particularly among the women and children. But it did not seem to check their prosperity, for the course pursued by the Missourians was regarded as a

persecution, which elicited much sympathy in their behalf, and caused aid and countenance to be given them, which would not have been, had they been treated less rigorously.

They crossed over the Mississippi into Illinois, where they found those who treated them kindly and relieved their wants.

At the time of their greatest need they met with Dr. Isaac Galland, who owned large quantities of land in Illinois, also, an interest in the half-breed's tract in Iowa, who took an interest in their behalf, and sold them lands on reasonable terms; and took their lands in Missouri, in part payment.

The Mormons mostly settled on the east shore of the Mississippi, in Illinois, where they laid out a town, on a large scale, which they called Nauvoo. Here they made their head-quarters, though many of their numbers settled in the surrounding country, and some on the opposite side of the river, in Iowa. Here, for a while, they were very prosperous, their numbers rapidly increased, and they had a fair prospect of soon building up a large city.

But they had not been there long before they again had trouble. For Governor Boggs, while sitting in his office, near a back window, was shot at by some unknown person, with a gun loaded with buck-shot. Nine of the buck-shot penetrated his person about the head, and he was much injured, though the wounds did not prove fatal. This act was charged upon one O. P. Rockwell, as being done at the instance of Joseph Smith, the prophet, and the governor made a requisition on the governor of Illinois for Smith.

As soon as he was arrested, Smith got out a writ of *habeas corpus*; and was discharged on the grounds, that he had not been into Missouri, and could not be taken into that state for trial, for a crime which had not been committed within the limits of that state.

The failing to get Smith, greatly exasperated the Missourians, and they anxiously waited for an opportunity to wreak their vengeance upon him.

The citizens of Illinois, in the vicinity of Nauvoo, became much dissatisfied with their new neighbors; and great com

plaints were made of injuries committed on them by the Mormons, and the Mormons, in turn, complained of like injuries against them.

Matters went on in this way till there arose a difficulty among themselves, when the demon of discord commenced to stir up envy, jealousy, and strife with a boundless ambition.

A man by the name of John C. Bennett, came among the Mormons, after they settled in Illinois, professed to be strongly in their faith, and being a man of superior talents, soon rose to high honor in the church. But his prosperity made him reckless, and the authorities of the church called him to an account for his misdemeanors, deprived him of his honors, and turned him out of the church. Bennett now became desperate, denounced the Mormon religion and exerted himself, to the utmost of his ability, to wreak his vengeance upon the prophet and his followers. In the meantime several others, who had stood high in the church, among whom were William and Wilson Long, "were cut off from membership." The latter did not, like Bennett, condemn the Mormon religion, but denounced Joseph as a false prophet.

They procured a printing office for the purpose of establishing a paper at Nauvoo, and on the 7th of June, 1844, issued the first number of the *Nauvoo Expositor*, in which was a severe personal attack against the prophet, and some of the most active and influential members of the church.

At this time Nauvoo had been incorporated as a city, and claimed to have about twenty thousand in population. On the issuing of this paper, the city authorities were called together by Smith, then the mayor of the city, who had by their charter the authority "to declare what shall be a nuisance, and to prevent and remove the same." Under this authority "the city council of Nauvoo, declared the establishment and *Expositor* a nuisance, and the city Marshal at the head of the police, took the press, material, and paper, into the street and burned them." This summary proceeding created a tremendous excitement, which spread with the rapidity of a fierce conflagration in a tornado, until the whole surrounding

country was in one flaming blaze of passion, and fresh fuel continued to be added to the flames, by a portion of the press giving spread to the most exaggerated rumors about the doings of the Mormon leaders. All those who had had difficulties with the Mormons, either in Missouri or elsewhere, were now active, and using the destruction of the printing office as a pretence, sought to retaliate upon them *en masse*, for all the injuries they had received from any of the denomination.

Public meetings were held, and propositions made to raise forces to chastise the Mormons.

The Mormons were not idle spectators of these movements, and prepared themselves for defence, and the city council passed an ordinance, "that if any officer, or officers, should attempt to arrest any person engaged in the destruction of the *Expositor* press, and take him out of Nauvoo for trial, he should be imprisoned."

Writs were issued on a charge of riot, for those engaged in destroying the *Expositor* office, from Carthage, the county seat of the county; and the officer undertook to arrest them, and bring them to that place for trial, but failed. In the meantime, Joseph Smith, as mayor of the city, issued his proclamation, vindicating the action of the council, and assuring Governor Ford, that they were willing to submit to a fair trial before any court in the state; if they could be protected from mob violence.

The excitement was so great, and such were the warlike demonstrations, that Governor Ford thought the exigencies of the occasion required more than ordinary exertions to keep the peace, and for this purpose he called out a large body of militia. The governor sent a message to Smith, if those engaged in the destruction of the printing office, would submit to the civil authorities, that they would be protected against mob violence; with this assurance they all consented. And the governor sent a company of dragoons, with the officer, to Nauvoo, and the rioters, eighteen in number, were brought to Carthage and lodged in jail, till the necessary preparations could be made for trial. Among those arrested were Joseph

Smith and his brother, Hiram. After these arrests were made the excitement abated, and the public feeling was so far quieted, that Governor Ford thought prudent to disband a portion of his forces, and only retained two companies to protect the jail, and one to escort him to Nauvoo, to have an interview with the citizens.

On the 27th of June, 1844, while the governor was absent, at Nauvoo, a body of about two hundred men, dressed in disguise, like Indians, made an attack upon the jail, overpowered the guard, broke into the room, where the two Smiths and the editor of the *Nauvoo Neighbor* were confined, instantly killed the two Smiths, and severely wounded the editor.

The killing of the two Smiths seemed to satisfy the enemies of the Mormons for a while, and their city became quiet.

The business at Nauvoo revived, and they went to work with renewed energy to finish their temple, that had been commenced, which was the largest and most costly building, of the kind, at that time, in the west.

But the difficulties of the Mormons did not cease with the death of the Smiths. Their enemies soon commenced renewed persecutions against them, and their troubles were such, that they were compelled to leave Illinois, as they had been, Missouri.

Their leaders resolved to move west, beyond the settlement, where they would not be in contact with those differing with them in religious faith.

In the fall of 1845, they commenced to dispose of their property, and made arrangements to leave, and during the winter many moved over the river and stopped in Iowa, wherever they could find shelter and protection. And early in the spring nearly all of the Mormons left Nauvoo; some planted a colony in Wisconsin, others, growing cold in the faith, scattered through country. But a large number started west, without any fixed point for their destination, though California, then belonging to the Mexican government, had attracted their attentions. There were over a thousand collected to-

gether in one company, and as a pioneer corps, in the spring of 1846, commenced their journey west, to explore the country, and open up a tract for others to follow.

By the treaty of 1842 with the Sac and Fox Indians, the western boundary of the white settlements, at that time, was about on a line with the present western boundary of Appanoose and Monroe counties, beyond this boundary it was one vast wilderness; no thoroughfare, except Indian trails, and no white man had been there, except occasionally a traveler, government troops, and Indian traders.

The Mormons had a party, whose business it was to go in advance of the main company, to explore the route, and make fords and bridges, by which the streams could be crossed. They came up the Des Moines valley, till they reached the western part of Van Buren county, they then took their course through the northern part of Davis and Appanoose counties. When they got near the western part of Appanoose county their company divided, a party taking the highlands on each side of the Chariton river, but their trains came together again in Clark county. As soon as they got into the Indian country; selecting the most eligible spots, they commenced establishing colonies, at such distances from each other as would be likely to afford comfort and facilitate the travel of those who might follow in their trail after them.

Several families stopped at Garden Grove, in the northeast part of Decatur county; another party made a location in Lucas county, at a place which was known as Chariton point, about a mile and a half south of the present town of Clariton. Some four or five families stopped at a point called Lost Camp, about six miles south of Osceola, at the point where the two trains came together. From this point their course was on the highlands, dividing the water courses, bearing a little north, till they reached the eastern part of Union county, where they established another colony, which they called Pisgah. From this point they took a northwestern course through the prairie, on the dividing ridges, till they reach a point a little north and west of the center of Adair

county, then they bore south, passing by what was known, in early days, as Sargent's Grove, in Adair county, and Campbell's Grove, in Cass county. At these points, houses at which the weary traveler could stop, were built. Their course went through the southern part of Cass county, and there was quite a large settlement made at a point called Indian Town, on the east Nishnabotany. They took this circuitous route to get a level road, and avoid the crossing of numerous small water courses. When they reached the Missouri bottom lands, they made a halt; their party scattered, and they went to work to raise provisions, and prepare for winter.

A party of about thirty pitched their tents on the Missouri river bottom, on the east side of Key creek, about four miles north of the south county line of Mills county, and the same season they built up quite a village of log cabins, which they called Rushville. Another large party crossed over the Missouri and made a settlement on the west side of the river, about ten miles above Omaha, which was known by the name of Winter Quarters. Another settlement was made nearly opposite this, on the east side of the river. And many individuals located themselves in different parts of the country; built cabins, and opened up farms. But their main settlement was on and about a little stream called Indian creek, which was first called Miller's Hollow (now Council Bluffs); so called from the fact that Henry Miller, a prominent man among the Mormons, first built a cabin there and opened a store, but the Mormons subsequently "called it Kaneshville, in honor of the celebrated Dr. Kane, the great Arctic explorer."

About the time of the Mormons starting west, the war between Mexico and the United States commenced.

Congress immediately passed a law authorizing the enlistment of soldiers for one year, and it was thought advisable, on the part of the United States, to send a force from the Missouri river across the mountains to California. This expedition was entrusted to General Kearny, and there not being, in the west, troops enough of the regular army to answer the wants of the government, it became necessary to raise volunteers for one year, under the act of congress.

Captain James Allen, who had had command of the troops, stationed in Iowa, opened a recruiting office on the Missouri river, and the Mormons having assembled in large numbers on the Missouri, and being anxious to explore the western country, and now having an opportunity to do so, under pay from the United States, a large number of them enlisted for one year, while the balance remained on the Missouri, till they heard from those who went to explore the country.

The opening up a thoroughfare across the western plains attracted the attention of many persons, and in the spring of 1847, quite a large emigration from Iowa went across the mountains to Oregon. The acquiring from Mexico a large tract of country, and the discovery of the gold mines in California, in 1848, created a great excitement in the states, and there was an immense emigration across the mountains in the spring of 1849; most of which passed through Iowa.

In the spring of 1849, the Mormons, getting reports from their pioneers, most of those who had the means to emigrate, started west for Salt Lake, to establish a colony, where they could enjoy their religious sentiments undisturbed by their enemies. Yet, a large number remained, most of whom engaged in cultivating the soil, some in trade; and they built up quite a village at Kaneshville. This point was the great business mart of the Mormons, and became the principal crossing point of the Missouri, for the emigration across the mountains, and where emigrants laid in their supplies. Many of the Mormons, who had made their way to this point, had not the means to pursue their journey farther, and had to stop here till they could procure the necessary outfit.

For several years this part of the state was occupied almost entirely by Mormons, who at that time held a prominent position in the affairs of Iowa, particularly in political matters.

But the business at this point became of such importance, on account of the overland emigration, that in 1850, several business men, not of the Mormon faith, settled here and opened stores. And the Mormons gradually leaving for the west, and others supplying their places, this religious sect soon ceased to attract attention in Iowa.

A SKETCH OF THE LIFE OF REV. HENRY P. SCHOLTE,

LEADER OF THE HOLLAND COLONY
IN MARION COUNTY.

BY WILLIAM M. DONNEL.

The subject of this sketch, the latter part of whose life was so intimately connected with the large and thriving colony planted in Marion county, in 1847, that his biography might fairly constitute a history of the colony itself, was born in Amsterdam, Holland, in 1805.

Early in life he manifested a desire to enter the naval academy, and become an officer in the navy; but his mother, for whose preferences he had a dutiful regard, opposed the scheme, and he abandoned it; but being of an active temperament, and averse to idleness, he apprenticed himself to a carpenter, learned the trade, and also made some advancement in the art of drawing.

When about seventeen years of age his father died, which circumstance called his attention to the subject of religion, and his interest in this subject eventually ripened into a desire to preach the gospel. With a view to prepare himself for this profession, he began the study of the languages, and made so much progress in this department that he was prepared to enter the seminary, at Amsterdam, in 1821. In 1824, he passed successfully through the literary examination, at the University of Leyden, and began the study of theology at that institution. During a powerful religious revival in Holland, in which two converted Israelites took an active part, he became acquainted with numerous leading Christians of various denominations, from England, France, Germany, and the Netherlands, who were on a visit to Holland, and became so powerfully convinced of the narrowness of sectarianism, that he abandoned it altogether, regarding even church organizations of secondary importance. He was, therefore—quoting his own words—“prevented from clothing his faith in the straight jacket of ecclesiastical formalism.”

In 1830, a rebellion broke out in Belgium, and Mr. S., with many other students, responded to the call of the king for troops to suppress it. At the close of the rebellion, 1832, he returned to his studies at the university, passed through the theological examination, and was licensed to preach. In the same year he was examined in the synod of Holland, and in 1833, was installed as minister of the gospel in the national reform church establishment. Here, however, he began to experience trouble, resulting from his refusal to submit to the established forms and doctrines that he found had produced a spiritual degeneracy in the church. His decided opposition to a sectarianism that amounted almost to bigotry, brought down upon him the enmity of the national clergy, and this, in 1835, resulted in separation. Mr. Scholte, and a few other ministers, followed by a large number of lay members, withdrew from the national church, and became a separate and independent organization. But they were not permitted to remain so undisturbed. Instigated by the synod of Holland, the government commenced, and for some time carried on, a series of persecutions against the rebels, consisting of fines and imprisonments, basing the legality of their acts upon a law of Napoleon, forbidding the assembling together of more than twenty persons for religious services. For a violation of this law, Mr. Scholte was once imprisoned and fined several hundred guilders. But, during his imprisonment, he made valuable use of his time by acquiring a knowledge of the English language from the study of standard authors, which acquirement became quite useful to him afterwards.

But these persecutions, instead of putting down the rebellion, increased the number of its adherents, till finally the government became weary of so unprofitable an undertaking, and, soon after the accession of William II. to the throne, persecution ceased entirely, and the newly-organized church was permitted to flourish free of the restraints of sectarian rule enforced by secular authority, and independent of governmental patronage; yet in the matter of schools and the education of the young, their independence was not complete.

The relations between church and state extended through the schools, and these were the nurseries of both; and this state of things naturally gave rise to a desire, among the independents, for the privilege of educating their children more in accordance with their own religious views.

In his ministerial labors, Mr Scholte became acquainted with the middle and poorer classes of the country, and had ample opportunities to observe the disparity in their social conditions, the result of pecuniary circumstances; how difficult it was for the poor, and even those of small means, to support themselves and their families, to say nothing of attaining to the social position that merit should entitle them. In the kindness of his heart he began to think about adopting some plan by which relief could be rendered. But he could think of none that could be successfully carried out within the narrow and crowded limits of the Netherlands. So it occurred to him, that emigration to some new country would be the only practicable means of reaching the end desired. In this view of the case he associated with himself another minister of some eminence and ability, and together they made diligent efforts to inform themselves of the natural, social, and political conditions of the various countries that might become an asylum for the poor and oppressed.

But previous to directing public attention to the subject, they wrote a letter to the minister of colonies, asking for vessels and a free passage to the island of Java, and for permission to make free settlement there. On receiving a reply to the effect that the government was not disposed to permit such settlements in her East Indian possessions, they turned their attention to America; and among other portions of this continent, at first favorably thought of, as a location for a colony, was Texas, but after obtaining all the information they could, relating to its geography, climate, &c., it was decided to be too warm; Missouri was also had in view, but the existence of slavery there, at that time, forbade its choice as a location. Finally, Iowa, then the youngest sister in the family of states, was chosen as the land of refuge.

Nothing more now remained but to enlist the interest of a sufficient number of others to form a colony self-sustaining in its corporation. The first meeting for this purpose was held at Leersdam, July, 1846, the next at Ulricht, in December of the same year. At this meeting an organization was effected. Henry P. Scholte being elected president, A. J. Betten, vice president, and Isaac Overcamp, secretary. A board, or committee, was also appointed, whose duty it was to receive members, regulate the supply of provisions, and arrange for means of transportation. This board consisted of four members, G. H. Overcamp, G. F. Lecoque, John Reedfeldt, and A. Wigny. In the reception of members, the board was confined to certain conditions, to-wit: No profane, immoral, or intemperate person could become a member of the colony, nor any avowed atheist, skeptic, or Roman Catholic.* Another important condition was, that all members who could command the means, should take charge of one or more poor but worthy persons, or families, who desired to go.

Governed by these rules, the organization rapidly increased in numbers, notwithstanding the well known natural tenacity with which the human heart clings to the associations of its native land. In a majority of instances, it requires the strongest will, the most determined resolution, backed by stern necessity and hope for the better, to leave forever the only spot on earth that has ever been dear to him, the home of his birth. Yet, by the spring following (1847), the association numbered about one thousand three hundred persons, and between seven and eight hundred were prepared for the journey. Four sailing vessels were chartered to carry them to Baltimore; and early in April three of the ships sailed from Rotterdam and one from Amsterdam. The voyage occupied about fifty days, more or less, as the vessels did not all reach port at the same time; but in the early part of June they all landed at Baltimore, except nine persons who had died during the pass-

* The reason for such exclusion is apparent, when it is known that one among the principle objects of the association was to peaceably preserve religious liberty among themselves.

age. Here they were soon joined by Mr. Scholte, who, with his family, had come by steamer.

Their conveyances from Baltimore to Pittsburg were canal boats and rail cars; and from thence to St. Louis they came by steamer. Here they were received by E. F. Grafe, a German, who had been for some time a resident of St. Louis, and had been apprised of their coming. And here it was necessary that they should sojourn for a few weeks to make certain preparations for the remaining portion of the journey, and for final settlement. A temporary shelter was prepared for their accommodation, a little without the city limits, where they remained till the latter part of August.

Now, like the children of Israel, on their approach to the promised land, they found it advisable to send forward a committee to spy out the country, and select a location. Henry P. Scholte, Isaac Overcamp, and John Reedfeldt, were assigned this duty. But, not like the spies of old, they were kindly received and encouraged in the object of their mission. On reaching Fairfield, they were met by Rev. M. J. Post, a Baptist minister, whose duties as such had given him a knowledge of a large tract of country between that place and Fort Des Moines, and he recommended to the committee the beautiful prairie between the Des Moines and Skunk rivers, in Marion county, as a favorable site for a colony. Mr. Post thereupon volunteered to pilot them to the place, and on reaching it, they were so much pleased with the beauty and natural resources of the country that they at once decided to select two townships (now Lake Prairie), and lay out a town. But as there were already a goodly number of American settlers in the district, Mr. Scholte, who was treasurer as well as president of the colony, set about buying out as many of them as would sell their claims, together with such live stock and farming utensils as he could get, that would be indispensable to his people in agricultural pursuits.

On their return to St. Louis, carpenters and other mechanics were sent in advance with tools and means for procuring lumber, to erect a large temporary shed for the reception of

the colonists. This shed was put up at what is now the western outskirts of Pella, and was for some time occupied by a large number of people, till other temporary shelters could be provided for the accommodation of individual families. A majority of these houses, or more properly hovels, were made of the tough prairie sod, walled up over cellar-like excavations in the earth, to give more perpendicular room, and secure warmth in winter. The long prairie grass, thatched, took the place of shingles for roofing. Many families secured shelter in the cabins lately occupied by those Americans who had sold their possessions and moved away. Mr. Scholte and family lived for some time in a little log cabin that had been erected as a claim pen, by Thomas Tuttle, long before Pella was thought of, and that happened to stand in what is now the public square.

Many anecdotes might be related in connection with life in the colony at this early period, but the brevity of this sketch will hardly admit of it; besides, it was intended as a biography rather than a history. We will, however, admit one or two. It can hardly be supposed that the grass roofs of those sod houses would be proof against the heavy rains that sometimes descend in this country; besides, during a rainy season, the earth would be soaked with water. Thus dripping from above and oozing up from below, not unfrequently these semi-subterranean dwellings would half fill with water during a night, compelling the occupants to bail it out or seek higher quarters. On one occasion, during the night, an ox that happened to be grazing near one of these dwellings, finding the grass rather short, evidently mistook the grass roof for a hay-stack, and "went for it." After eating some of it, he got upon it with his fore feet, probably in search of a better quality of provender, as cattle will do, when the structure gave way to his weight, and plunged him head foremost into the apartment below, to the great terror of not only the beast himself, but of the inmates of the room, who must have been sleeping soundly till the crash awakened them. Fortunately, however, none were injured, and the frightened ox made his

way out of the pit by the most practicable route, which must have been the door, and went his way, probably resolving, in his ox mind, never to put his foot in it again. In those days snakes were numerous, and would often intrude themselves into those earthy habitations to the great annoyance of the people, attracted, probably, by the warmth about the roof; when the weather was a little cool, they would crawl through it and fall into the room. Frequently an ugly reptile would drop himself down the sod chimney into the fire, or into the soup, if cooking happened to be going on at the time.

Soon after their settlement here, Mr. Scholte, and other leading Holanders, caused a town to be laid out as a nucleus of the colony, and called it Pella, a Hebrew word signifying a place of refuge. Only a few blocks were platted at this time, and the platting was not completed till 1849, when the colony was increased by the arrival of about seven hundred more members.

In politics, Mr. Scholte was a whig previous to his arrival in this country, having studied and admired the opinions of Henry Clay. In 1855, he commenced the publication of a newspaper called the *Pella Gazette*, the first paper published in the county, and the most western one in the state, east of Council Bluffs. It was whig in principle, but headed "independent." But soon after the principles of the "American party" began to be agitated, Mr. S. became a democrat, and the *Gazette* supported Buchanan for president. At a somewhat later period, he became an ardent republican, and officiated at the Chicago convention in 1860, when Abraham Lincoln was first nominated for president.

Besides his original calling as a preacher of the gospel, Mr. Scholte adopted the profession of law, and was an able advocate. As an orator he was well qualified, both by a superior talent and education, and, but for the natural inability to distinctly sound the English language, he might have been eminently popular as a public speaker. As it was, his Fourth of July addresses, delivered in English, were listened to with interest. As a writer, his style was simple, comprehensive, and

deep. He was the author of a number of pamphlets, principally in his native language.

Generous in his nature, he was ever ready to contribute to any public enterprise calculated to promote the moral or pecuniary welfare of the community. One large church building in Pella will long stand as a monument of his public spiritedness. To the Iowa Central University he donated the five acres of land on which it stands, being in the most beautiful part of the city.

Mr. Scholte, though he had a few enemies, as few good men have not, had many warm friends who still occasionally speak of his good qualities and virtues, having experienced benefits from the same.

Having succeeded in a great enterprise, dear to him from the time he first conceived it, and having witnessed the growth and prosperity of the colony, after a short illness that seemed to be the culmination of a chronic indisposition, he died, August 25, 1868.

HISTORY OF MARSHALL COUNTY.

BY NETTIE SANFORD, MARSHALLTOWN, IOWA.

(Concluded from page 548.)

ABOUT seven o'clock on the morning of the 11th of January, 1859, Judge Smith, after a night of intense agony, is found in a chamber of Rev. Mr. Babcock's, surrounded by several prominent citizens of Marshalltown, with a sheet of paper before him, for the purpose of writing an order for the removal of the county records, after a formal re-canvass of the vote. The judge was astonished to find a paper, with the county seal affixed, knowing that he had not given any such paper. Wondering where it came from, he concluded it was a good plan to throw off the responsibility on some unknown rascal, signed the order for the removal, and went through a legal

pantomime, as his sham captors desired. The moment this order was signed, men were sent in every direction to the friends of Marshalltown to go to Marietta, take the records by force, and bring them down to the Town Hall.

Sheriff Harris had been elected upon this local issue, and with a flourish of trumpets ordered out the Bowen Guards, a Falstaffian militia company of Marshalltown, to make preparations for marching on Marietta. Harris buckled on a big sword that had never been wet with human gore. Every warlike weapon, down to a first-class darning-needle, was scoured up ready for the fray. Wagons began to come into town filled with country farmers, armed, if possible, or else looking very savage. Orderlies from the grand army had drummed up a crowd of at least five hundred by the time they were ready to start; wives and sweethearts kissed and bade them "good-bye," with the expectation that the loved ones would be brought back lifeless corpses.

By eleven o'clock, Marietta had quite a respectable army also in operation, commanded by Weatherly, ex-sheriff, ready to defend the court house against organized thieves. A keg of powder had been bought and placed under the safe of the court house with a train and slow match, to blow the raiders into atoms if they were determined to go inside the doors. The excitement increased every moment after it was rumored that the army of invasion was within a half mile. Marietta ladies, gentle and refined, caught up guns and axes, and belligerently defied the robbers "to show their hands." Crookham, the lawyer, made his will "in the wink of a cat's eye." Quincey Black and Mr. Dishon leaned over their gates, pistols in hand, to defend their firesides, for the threat had gone forth that the invading army would burn the town. Slowly the guards and volunteers advanced, with Harris, Elliott, Shurtz, and Wells Rice in front. Harris, believing danger was ahead, at a favorable opportunity slipped away. Hepburn, now Col. Hepburn, of Page county, was also in the front, and when all were within a few feet of the court house, the click of rifles told both sides to beware. Surrounded by

the swaying crowd, swearing, excited, it is a wonder that so much order was maintained by the guards. Alex. Crow, a hotel keeper, drew his gun on one of the soldiers, when Sam Hoffman, discovering him at the unlucky moment, drew up his gun, and, with an oath, said, "I'll make a *white* crow of you if you shoot one of our men." Hepburn jumped back and threw up his hand, saying, in a loud voice, "For God's sake, don't shoot,— we Marshalltown men only want the records."

But at this critical moment, above the roar of voices, was heard Boardman, of Marietta, reading an injunction from Judge Thompson, of the district court, restraining the removal of the records. How this injunction was obtained after the judge's previous action and the action of the county judge, has never been satisfactorily explained. It was probably obtained something after the manner of the order for the removal. In its proper place we forgot to mention how the sheet of paper was found with the county seal. Hon. G. M. Woodbury went into Judge Smith's office to get a deed, when he let the county seal fall just right on the paper. Then he carelessly folded it up and put it in his pocket.

After the injunction had been read, the Bowen Guards slipped away rather precipitately from the court house yard, swearing, with the other Marshalltown men, vengeance on the judge who had come between them and their long coveted prize. It is strange how courage oozes sometimes away in the presence of real danger. One valiant Marietta man emerged from a pile of rails, another took his gun from the window a half mile off, where he had been watching the fight. A guard left the ranks, for he had "the stomach ache fearfully," and did not return till the fight was over. Another slipped out to light his pipe,— "be back in a minute, corporal." But his minutes lengthened into an hour, and he got back into the ranks about a mile out from Marshalltown, as the guards returned home. Harris did not appear to take command, so Shurtz ordered his men to "fall into line and march home," as we above intimated. As they passed one Daly, who

was armed with a sausage stuffer, they received a blast of water. This was certainly one of the most comical fights on record. Daly had no ax or gun, and his wife suggested the weapon, without seriously thinking he would use it.

The women and children of Marietta flouted and jeered at the poor guards; some threw decayed eggs and vegetables, but it did not enrage them enough to shoot. It is a wonder that no chance shot was fired, or that these half-crazed men still had respect for law and order to go quietly home. Had Harris rushed in and gone to breaking locks in the court house without caution, there is no doubt blood would have flowed like a tide. At sunset Marietta was alone in her empire, no one hurt, no one killed, still the county seat of Marshall, without sending a single hero to the shades of Vállhalla.

We will not attempt to describe the feelings of that stalwart army, the Bowen Guards, as they approached the streets of Marshalltown, for here the tragedy ends in a farce. They had marched up "more than *one* hill, then down again," had come home victorless, and no scalps, no county records, no ashes of Marietta homes, not a smell of gunpowder, but awful tired, cross, and hungry. "Where was you in the fight?" "Where is your dead?" These questions assailed the poor guards on every side. False reports of death and battles had been circulated all day through Marshalltown, so that when the doughty army returned safe and sound, the rebound from such a dismal state of things was great. Wives joked over their tea at the expense of their warlike chieftains, and when night set in, Marshalltown, on the whole, was in almost as happy a frame of mind, barring the fighters, as her prouder rival of "the up-river bend."

CHAPTER VI.

But more was had of the pen than the sword. The lawyers were busy, and at the April term of the district court the mandamus case came up again.

There was a long trial on the injunction. An attachment was also issued against Judge Smith, as he did not show

cause to the court for his contempt in not re-canvassing. He appealed to the supreme court, which decided against him at once. Previous to this action of the courts, Judge Smith issued county bonds to Wm. Dishon, on his contract to build a new court house at Marietta, to the tune of \$26,000. Dishon went to New York and sold the county bonds for goods, instead of doing as he contracted, to use the money in building the court house. This injured Marietta, and it was used in many an ingenious manner by her enemy, when the whole matter came up at the June term of the supreme court; also at the December term following, and a decision was finally given in favor of Marshalltown, which virtually ended the contest. Upon summing up the case, an impartial witness of this conflict could not help but rejoice that it was ended. Bitter hatred had been engendered,—there was great expense on both sides.

William Penn. Clark was the counsel for Marshalltown, in the supreme court; Judge Cole, for Marietta.

After the decision in the case had been rendered, the county officers at Marietta gracefully "came down," like Davy Crockett's coon, and, on the last day of December, 1859, brought the records down on an ox sled, the mercury ten degrees below zero. The new year dawned upon the glad village of Marshalltown when the joyful news went out that the scepter had changed hands to last forever.

A New Year's supper was given to Marietta, and her citizens were welcomed at the banquet with a cordiality most pleasing and hearty. Some were sullen, and defiantly staid at home. But fates were against them. Stores, houses, etc., followed in a successive flight to Marshalltown, and the death-blow was given to Marietta, where dismantled she stands, a monument of hopes wrecked in corner lots. Most of the officers who lived in Marietta were re-elected as a salve for all wounded feelings on their part, and this bitter controversy has been entirely forgotten for a long time, or only to be remembered jokingly, as each side recounts his or her particular conflict with the enemy.

Marshalltown has increased her population to 5,000 inhabitants. Two railroads give her good facilities for trade; a splendid water power in the Iowa river enhances her manufacturing abilities; the densely populated country around makes her one of the best depots for trade in Central Iowa. Marshalltown has many enterprising citizens, among them Hon. Delano Smith, Hon. T. Brown, B. Clark, esq., Dr. McBride, and J. D. McCord, who are public-spirited men, and have accomplished a great deal for her present prosperity.

Marshall county is one of the central counties in Iowa, and is divided into eighteen townships. It is twenty-four miles square, and contains 368,640 acres of magnificent land, with scarcely a foot that cannot be cultivated, excepting where there is running water. With these advantages she presents a prize to every farmer coming from the east. Marshalltown has seven churches, factories, mills, splendid residences, and the machine shops are soon to be erected for the Central railroad. With these few statistics, we close our very imperfect sketch of Marshall county.

A FOUL MURDER AND NOBODY KILLED.

BY E. W. EASTMAN, ELDORA, IOWA.

THERE has been and now is in Iowa, and in fact in most new states, much opposition to the old system of grand juries, and also to some of the long established rules of evidence in criminal trials. Frontier people are active and impulsive. They think quick, judge quick, and contract quick or not at all. They are here to-day and to-morrow they are westward, ho! with the star of empire. Hence, in legal tribunals, they dislike the slow, formal process of a grand jury, and technical rules of evidence. They want to try the case while the fever is up, and upon such evidence as appears *to them* to be good,

and then be at something else. With them, a *confession* is better than the testimony of an eye-witness.

These forms were of slow growth, and established for personal protection in the long struggle between tyrannical government and impulsive barbarism on the one hand, and individual protection on the other. Cases frequently occur which prove that these formalities are as necessary now for individual protection as when first established. In case of trial for murder, in addition to the grand jury process of first finding a bill of indictment, it has been a long established rule of evidence, that the prosecution must prove that the human being charged to have been killed *is dead*. This fact can be proved only in two ways,—first, by some one who *knows the fact*; or, second, by the confession of the accused. Impulse wants nothing better than a *full, clear confession*. It is then ready to abandon the slow grand jury work, or any other very formal trial, and proceed at once to pronounce sentence. And yet this evidence is very unsafe, and really *insufficient*, to establish the fact that the missing person *is dead*. The old technicalities of an indictment, and of specific proof, were not adopted without a reason, and that reason is as frequent to-day as when first adopted.

In the fall of 1848, a man by the name of Nisely came to my office in Oskaloosa, in this state, and stated to me that he was from Missouri, and had some two or three bushels of apple seeds, and was desirous of starting a nursery, and desired my assistance to procure suitable ground. He appeared rather timid, was rather visionary and eccentric, and withal not very intellectual. While I was trying to arrange for him, he put out and left me to finish the matter up alone. I next heard from him in Jasper county, where he had taken a "claim," and was putting out his seeds in the vicinity of a family of Hamlins, a father and three grown-up sons. This was in the days of "claims," and Hamlin had a claim and improvement on a half section. I might as well here explain, that by the then statutes of Iowa, a man could take possession of a piece of government land, and improve it, and live on it,

and hold an interest in the land equal to the value of his improvements. This possession was called a "claim."

Nisely boarded part of the time with the Hamlins, and changed work with them at times. A little "unpleasantness" sprung up between one of the young Hamlins and Nisely, in which some pugilistic demonstration was made by Hamlin, whereupon Nisely left them and went to board at another place. The next Sunday the parties met again, and some unpleasant words passed. Nisely was seen by some persons conversing with the Hamlins. The next day Nisely was missing. Some few days after this, John Hamlin, the youngest boy, aged about seventeen years, and the one who had quarreled with Nisely, was seen with Nisely's hat on, and soon after was seen wearing Nisely's coat. Some inquiry was made about Nisely, and no satisfactory account given by the Hamlins. Perhaps it will be as well to hear say that the Hamlins were beginning, by the three or four families then residing in that part of the county, to be considered rather rough specimens of humanity, and, like an egg in hot water, fast growing harder.

It was soon whispered about among the fifteen or twenty families then in the county, that Nisely had been foully dealt with. In fact, suspicion said Nisely had been murdered, and John Hamlin was wearing the murdered man's clothes. John was arrested, and, not giving a satisfactory account of the whereabouts of Nisely, or how he came by Nisely's clothes, he was committed to the jail at Oskaloosa. The jail was in the first story of the building, and was not enclosed. The windows were grates without glass, through which persons could converse with the prisoners at all times of day and night.

The excitement increased and spread to the adjoining counties, and people gathered in about the premises of the Hamlins, and took counsel together. They said to the Hamlins, in language which could not be misunderstood by frontier people, "Where is Nisely?" It meant, produce him, or speedy justice is right here. They could not evade the ques-

tion nor quit the county. And, knowing well that frontier people could not be trifled with, they made a clean breast of the whole matter, and *confessed that they had murdered Nisely* on the fatal Sunday night of his exit.

John was thirty-five miles away in jail. But in the meantime he was interviewed by night through the jail windows, and he also confessed the murder of Nisely, and it was said without knowing that the others had confessed.

Upon these confessions the other three Hamlins were arrested; and a Mr. Smith, who also was beginning a nursery near by, and was supposed to have some interest in getting Nisely out of the way, was also arrested. A messenger was sent to Oskaloosa for me to go up to Newton and defend the Hamlins. The word got to me some time the third day after the arrest. I got off in a short time. Just as I was starting, Mr. Perkins came to me and said he had a pair of duelling pistols lent up at Newton, and desired me to bring them down. On my way up, just before I got to Newton, I met a man with the pistols, going to carry them home, and he desired me to take them, which I did. They were ugly customers, about ten inches long, rifled-barrel bruisers, fixed with a hook to hang upon the waistband, so as to carry the muzzle down inside the pants and the butt under the vest. We discharged the loads and I *hung them in*. It was the first and only time I ever carried concealed weapons; and, in fact, these were not *concealed*, for the heavy, dangling things pulled my pants down so as to leave what a sailor would call a *wale streak*, two inches wide, between my pants and vest, across which the two barrels extended. It felt very comical, but I suppose it looked *brave* in those days.

On arriving in Newton, I found the senior Hamlin nominally in the custody of one Josiah Dooly, high sheriff of Jasper county, but really in the custody,—or rather at the disposal,—of the people there assembled from the adjoining counties. The first words of Mr. Hamlin to me were, "I am glad to see you. I will give you my 'claim' and all that I have if you will only save my life. I am willing to go to prison and

work faithfully all my life, but I don't want to be hanged.' Seeing he was a little nervous, I replied, "You are not in a condition, now, Mr. Hamlin, to make a contract. I want first to talk about the case." Several persons crowded up to hear. "Oh," he said, "I am guilty as hell, but I don't want to be hanged." I presently got him aside from the people, and said to him, "Where is Nisely now?" He replied, "I don't know; the boys put the body out of the way." Then turning his head a little and pulling down his collar, he said, "See my neck. They have been hanging me to make me tell where the body is,—but I don't know." His neck was somewhat lacerated, and badly swollen, and his head somewhat canted to the left shoulder.

I spoke with Mr. Smith, and was informed that he had been discharged by the justice, but had not got leave of absence from the people. I inquired for the two young Hamlins, and then learned that the body of Nisely was still missing,—that the Hamlins, after making the confession of the murder, had given very different and contradictory accounts of the disposition made of the body. One account located it in one of Hamlin's stock wells, then out of use, with some rubbish over it; another, in a swampy marsh in Skunk Bottom; another account was that it had been burned on a large sand-bar in Skunk river, and the charred remains raked into the water. Parties were then out with the young Hamlin in search of the body.

The body not having been found in any of the places named, the rope and the lash were both brought in to assist in the search. Nathaniel had been hanged by his thumbs till both were pulled out of place, and the lash applied to his back till the hot blood coursed down over his heels to the ground. The old man had been strung up by the neck till he became willing to give me all he had to save him from a second introduction to the horrors of again using tight hemp for a neck-tie.

I went to the justice's office to examine the papers and prepare for the trial of the three Hamlins. I was quite

coolly informed that it was no use to see the papers. "We thought it best to try the case *without any lawyers*, and we tried the case directly after you were sent for; and I have found them guilty and ordered them to Oskaloosa jail. But the sheriff is keeping them to make out some more evidence against them."

I then called Mr. Hamlin a little to one side on the prairie, and was conversing with him when Mr. Sheriff Dooly rather nervously stepped up and said, "See here, Mister, I reckon I have a right to know what you two men are saying." I replied, "I 'reckon' it is none of your business what we are saying. But I was saying to Mr. Hamlin that I would have *you* in the state prison before three months for lynching him." "Why," said he, with a stare of apparent surprise, "do you reckon I am liable?" "I know you are, sir; and if you do not hurry off in quick time with these men to jail, I will have you arrested as soon as I can make out the papers. You are high sheriff of Jasper county, and it is your duty to protect these men at the risk of your life. State's prison is hungry for you now, sir." By this time several people had gathered round to hear what was being said. Dooly looked at me first up and then down, and then turned away. The Hamlins were soon after on the road to Oskaloosa jail. I afterwards learned from Dooly that on my first arrival there, those empty, innocent *pistols* had been observed through the open streak between vest and pants, and upon a little discussion it had been decided that they meant *business*, an idea which had never occurred to me, and was why they concluded best to take the Hamlins to jail.

The district court was soon after in session in Oskaloosa, and Henry Temple, an attorney in Oskaloosa, and I took all the Hamlins out of jail on *habeas corpus*, and had them all discharged, because there was no legal evidence that *Nisely was dead*, or, as the law calls it, there was no *corpus delicti*; the confession by the Hamlins of the killing not being competent to prove that *Nisely was dead*.

It afterwards turned out that Nisely, through fear of some

physical harm, had absconded in the night, and abandoned his claim and nursery, and had left some of his clothing. The Hamlins had no knowledge whatever of his intention to leave or where he had gone. But finding him missing, they had appropriated his clothing and made some demonstration towards taking his claim.

No one could account for the confession of the murder by the Hamlins, and especially by the one in jail. Those out of jail did not retract their confession to me, as their counsel, till several days after first seeing them. Had the grand jury system been abolished, and these men hastily tried on the evidence of their own confessions, they would all have been punished for the murder. These confessions were somewhat of a kin to the Salem witchcraft confessions — those who made them could not account for doing it.

In conclusion, I may as well here add, that the Hamlins afterwards cheated me out of my fees. The *moral* to this is, that when a lawyer has a chance to *secure* a good fee from a slippery client, *his better way is to do it at once*, and work up his case afterwards.

RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTH- WESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 523.)

ON the 13th day of October, 1856, I. T. Martin, Braden Videto, J. McGill, and others, from Harbor Creek, Pa., arrived at Sioux City. They were all active, energetic, and intelligent young men, who came to the north-west to seek homes and carve out fortunes. They remained in Sioux City during the winter. While there, Mr. Martin and C. Throop erected a store house in Pacific City, a town on the Nebraska

side of the river, and in close proximity to Covington, heretofore spoken of. This town was laid out by Dr. Hunt and J. Holman, of Sioux City, Dr. Gray, of St. Joseph, Mo., and others. The store house referred to was the first building of the kind erected in the town.

Notwithstanding the severity of the weather and intensity of the cold, these hardy young men, with many others of Sioux City, labored all winter in cutting cord-wood and saw-logs on the Nebraska side of the Missouri river, where for thirty consecutive days, according to a register of the temperature of the weather, kept by Mr. Martin, the mercury stood 30° below zero at sunset, and on one day it ran down as low as 40° .

In the spring following, I. T. Martin, B. Videto, J. McGill, and John Hipkins and family commenced a settlement in Big Sioux valley, in Plymouth county, Iowa. They erected two houses—one for Hipkins and family and one for the young men, who kept “bachelors’ hall.” About the first of July following they laid out a portion of their land into a town, calling it “Westfield,” which they regarded as the future metropolis of the Big Sioux valley; but in this we think they have been disappointed.

On the last day of the same month (July), Martin, Videto, McGill, Moody, with five others, started on an exploring expedition to the “Black Hills.” They proceeded as far as the “Kehopa,” a small tributary of the “Running Water” river, when Moody accidentally shot himself through the arm, causing a very dangerous and serious wound. There being no surgeon in the company, and none nearer than Ft. Randal, a distance of about eighty miles, the weather being extremely warm, they determined to make all possible haste to Ft. Randal with their wounded comrade. Binding up his wounds in the best manner their circumstances would permit, they set out for the fort, traveling night and day, only halting for a short time for their jaded team to recruit their failing strength. Arriving at the fort, Moody was placed in the hands of the surgeons at that post, who were Drs. Magruder (brother of rebel Gen. Magruder) and Madison, who at once dressed his

wounds, rendering him every attention in their power. The party now abandoned their journey and returned home, leaving their wounded comrade at the fort, where he remained in charge of the surgeons for two years, less twenty-one days, when he returned to the house of Martin & Co., on the Big Sioux river. He had not fully recovered, as he was yet lame; he was also penniless, and an object of charity. Martin received him very cordially and made him quite welcome to the hospitalities of "Bachelors' Hall." Moody remained there during the fall and winter, at the expense of Martin. On the 14th of February, 1860, Martin left for Des Moines as a delegate to the Douglas state convention, leaving Moody in charge of all his effects, as Videto and McGill had returned to Harbor Creek, Pa. After the adjournment of the convention Martin continued his journey to Pennsylvania on a visit to his friends. Soon after arriving there he was taken ill, which detained him for some months.

Now for a piece of base and cold-hearted ingratitude, as the sequel will show. In the latter part of the spring following Moody sold a quantity of grain, household furniture, &c., belonging to Martin; and feeling disgusted, no doubt, with a life of celibacy, and feeling fully competent to support a wife, he resolved to take to his bosom a companion, and as "men were plenty and women skerse," he determined to purchase the heart and hand of one of the dark-eyed maidens of the forest, whose appreciation of the matrimonial state, or an alliance, was about commensurate with his own. Accordingly, he went to the Yankton Sioux agency, in Dakotah territory, where he purchased a squaw wife. Their honeymoon did not wax, but waned, for, after he had lived with her a short time, he became anxious to see more of the far west, and, yielding to the spirit of emigration that had seized upon him, he took Martin's team (one yoke of oxen), wagon, ropes, chains, bedding, provisions, proceeds of property sold (not invested in squaw), and \$40 township funds, drawn on account of Martin as township clerk, with many other goods not here mentioned, and bidding his dusky dulcinea adieu, he left for "Pike's Peak."

Such was the shameful ingratitude that Martin received from one whom he for months had nursed and cared for in adversity, want, and distress. Well might we liken the base ingratitude of many heartless men unto the deadly poisonous serpent who was found by a kind-hearted man in his wanderings, chilled and nearly frozen to death, who took it up, carried it home, and laid it upon his hearth, and when warmed into life it plunged its deadly fangs into the very hand that saved it.

In the fall of 1858 Plymouth county was organized. The election, or organization, was held in Sioux City. Vanolinda was elected judge, I. T. Martin, treasurer and recorder, and Mr. Mills, sheriff. Judge Vanolinda held his office on the Floyd river, in the middle or eastern part of the county, while Martin and Mills held theirs in the Big Sioux river valley, in the extreme western portion of the county. The same fall a township election was held at Westfield, when I. T. Martin was chosen township clerk. There were sixteen votes cast at that election, more than for a number of years after.

Westfield was abandoned in the spring of 1860, soon after Martin's return from the east, chiefly on account of large selections or entries of lands made in that vicinity by half-breed Indians, with half-breed script, which greatly retarded the settlement. Mr. Hipkins and family soon after returned to Sioux City. Mr. Martin now resides in Davenport, Iowa, and is the state agent of the well known and popular Northwestern life insurance company of Milwaukee, Wisconsin.

It was in the fall of 1859 (if I mistake not) that Barney Roney, an Irishman, and family, from Sioux City, who had settled at a point in the Sioux valley, a few miles south of Westfield, the previous year, got into a difficulty with one Brookins, an old sailor, who had taken a claim near Roney's, and at the time was assisting Roney in cleaning some wheat. Both of them had been drinking freely, when an altercation arose between them about the division of some wheat, which finally resulted in blows, when Brookins stabbed Roney with a pocket-knife, if I mistake not, which soon resulted in the

death of Roney. Brookins was at once arrested. There being no jail in Plymouth county, he was brought to Sioux City jail, where he remained for some time before his case came up for trial. Both of these men were kind-hearted and clever men when sober, but when under the influence of liquor were rather boisterous. Brookins's case came up at the fall term of court for trial. The prosecution was conducted by How, of Dickinson county, the state's attorney, assisted by some able counsel, and the defense by W. W. Brookins (now one of the associate judges of the United States court of Dakota territory), brother of the prisoner. The case was tried at Sioux City, Judge Hubbard, presiding. The trial excited much interest. When the case was submitted to the jury, they were out about twenty-four hours before they could agree upon a verdict. They finally agreed upon a verdict of manslaughter. The prisoner's counsel made a motion for a new trial, but the motion was not sustained by the court. The prisoner was sentenced by the court to ten years (I think) hard labor in the state's prison. Soon after the adjournment of court, the authorities of Plymouth county employed one G. W. F. Sherwin, of Cherokee county, to take the prisoner to Fort Madison and deliver him into the hands of the warden of the state's prison, for which service he was to receive \$100. He, however, managed to get his pay in advance. Taking his prisoner he set out on his journey, going up the Floyd river some eight or ten miles to the house of A. C. Sheats, where he stopped for the night. The prisoner was unshackled, and free to walk about the house at pleasure. Sherwin manifested, by his actions, great confidence in the prisoner's willingness to accompany him to the gloomy walls of the prison. Accordingly, he walked with Mr. Sheats to the barn, leaving Brookins seated at a table writing a letter. Soon after Sherwin and Sheats had left the house, the prisoner got up, walked to the door, looked out, walked back again, and resumed his writing, while Mrs. Sheats set about getting supper,—when all of a sudden the prisoner concluded to travel alone, and set out on a long and lonely race, leaving Sherwin to care for himself

and without even leaving his card or place of destination. When Sherwin returned to the house and found the prisoner missing, he blustered about for a short time in search, apparently, of him. The search was soon abandoned, and Brookins left to go his way rejoicing in his liberty, and no doubt feeling grateful toward his custodian for the glorious privilege of once more enjoying the fresh air of heaven. He did not report himself to the warden of the state's prison, or his whereabouts to the authorities of Plymouth county, so far as known, but it is presumed he is again a jolly tar on the high seas. His *faithful* custodian resumed his journey the next morning, with the consolation that he at least had made one soul happy. Sherwin continued his journey east to Harbor Creek, Penn., where he has since remained, and leaving the public impression behind him that he had premeditatedly planned the escape of the prisoner after securing his pay from the county.

In the fall of 1858 the counties of Sioux and O'Brien were organized by a band of schemers from Sioux City, who came west for the purpose of making a raise in some shape. The "*Ne plus ultra*" of these sharpers was one J. W. Bosler, of Carlisle, Pa. In order to effect their object under the semblance or shadow of law, they employed men at twelve dollars per month and board to camp in those counties thirty days, so that they might claim citizenship and elect the sharpers to office. At the expiration of the time an election was held, and officers elected, all of whom, or nearly so, resided in Sioux City. The hired voters were then discharged, and returned to their homes. The election returns were made to the county judge of Woodbury county (who was cognizant of all the facts) and an organization was granted. This being accomplished, a system of plunder was commenced by levying enormous taxes on the lands in the counties, a heavy school and school house tax was levied when there was not a scholar in the county; bridge, road, and court house taxes were levied, when neither were built for years after. This revenue,—all except the state tax,—went into the pockets of these land pi-

rates, and yet it was not sufficient to satiate their morbid thirst for gain. By an act of the legislature, the swamp lands were donated to the counties in which they lay. In the selection of swamp lands, much of the driest and best land in the county was returned as swamp land, and as soon as the counties had secured their title to them, they were thrown upon the market at prices from twenty-five to fifty cents per acre. Some of the party were delegated to go east into Illinois, Indiana, and Ohio, and make sale of these lands at some price — if not for money, goods or trade of some character. The result was, the agents soon returned with many horses, wagons, sewing machines, &c., which they bartered off, pocketing the proceeds. Not yet satisfied with their plunder, they issued several thousand dollars of county bonds, levying a bond tax to meet the payment of these bonds. Some of the band were then delegated to go to Chicago and elsewhere and dispose of the bonds, many of which were sold in Chicago at a small discount, which greatly increased the coffers of these swindlers, who soon made independent fortunes, and, selling out their interest, they went into the banking or some branch of mercantile business, and are now numbered among the heaviest capitalists of the north-west.

This system of swindling was not confined to Sioux and O'Brien counties alone, but it was carried on in nearly all the counties of Northwestern Iowa that were organized prior to the year 1859, as thousands of tax-payers can testify. Suits were instituted in the district court against some of the county officers, but they, having the power to manufacture county warrants, were able to fee the best attorneys in the county, and by their sharp practice the ends of justice were thwarted. An appeal was made to the legislature for redress, and during the session of 1860 a bill was presented, the object of which was to investigate the official acts of some of these newly organized counties; but the majority of the members were of the opinion that they could not investigate the acts of one county without investigating all others. This was the ground assumed — at least by the members from these spuri-

ously organized counties — and the bill was defeated. The days of sharperism in those counties have passed, we trust, and the affairs of these counties are now managed by actual settlers who are honestly chosen by the teeming hundreds of honest citizens who are breaking the virgin soil of the broad and fertile prairies that are yielding, in great abundance, the luxuries of life, and who are not wringing their wealth from the honest tax-payers, but wring it from the rich earth.

[TO BE CONTINUED.]

LAW MINISTERS OF THE OLDEN TIME.

BY HAWKINS TAYLOR, WASHINGTON, D. C.

ON the 4th of July, 1836, the territory of Wisconsin was organized. Henry Dodge was appointed governor; Charles Dunn, chief justice; David Irwin and — — —, associate justices; — Slaughter, secretary; W. W. Chapman, district attorney, and Francis Gehm, marshal of the territory. Dodge, Dunn, and Irwin were citizens of that part of the territory east of the Mississippi river, and Chapman and Gehm of what is now Iowa,— Gehm living at Dubuque, and Chapman at Burlington. At the organization of the territory, the only counties west of the Mississippi were Dubuque and Des Moines. At the session of the legislature, held at Belmont that winter, there were created, out of Dubuque, the counties of Jackson, Clinton, Scott, and Cedar; and out of Des Moines, the counties of Lee, Van Buren, Henry, Slaughter (Washington), Louisa, and Muscatine. David Irwin was assigned to that part of the territory, and, in company with Charles Mason, went to Burlington in the spring of 1837, and settled the place now occupied by Judge Mason. Irwin was originally from Virginia, but had been appointed a judge for the territory of Michigan, and presided in that part of the territory now Wisconsin. Judge Irwin was a man of ability, without

the ordinary vices of that day; he decided promptly and correctly. Few, if any, better judges ever presided in that district. He was, and is, a bachelor, now living in Texas. When Iowa was made a territory, Irwin went back to Wisconsin and remained on the bench until 1841, when he was removed by Gen. Harrison, as President, and went to Texas, where he has lived since; he was a hard rebel during the war, and is a democrat now.

The first court in Lee county was held at Fort Madison on the 27th of January, 1837. David Irwin, judge; W. W. Chapman, U. S. district attorney; Francis Gehm, marshal; Joshua Owen, sheriff. The judge appointed John H. Lines clerk of the court. The grand jury at that time were, Isaac Johnson, John Gregg, Isaac Briggs, E. D. Ayres, Wm. Anderson, Samuel Morrison, P. P. Jones, Wm. Richards, Henry Hawkins, George Herring, Richard Dunn, Edwin Guthrie, Jesse Dickey, C. E. Stone, David Weight, John Stephenson, George W. Ball, Benjamin Brattain, Joseph Skinner, Garret J. Woods, John R. Shafer, James McClenny, and Samuel W. Weaver. The judge decided that the jury was illegally summoned, and there was no grand jury at that term, and little business done.

August 28th, 1837, the second term of court was held — the same officers of court as at the March term. Samuel Ross, Jesse Wilson, P. P. Jones, John Gregg, Campbell Gilmore, Jesse O'Neil, John Box, Wm. Tyrell, Lorenzo Bullard, Leonard B. Parker, John G. Kennedy, Abraham Hundaker, George Herring, Wm. Anderson, Benjamin Brattain, E. D. Ayres, Henry Hawkins, Johnson J. Thacris, John Stephenson, Aaron White, Jos. Skinner, Jos. S. Douglass, and Thos. Small, jr., grand jurors. E. D. Ayres was made foreman of the grand jury, and Philip Viele prosecuting attorney. During the term there were about two hundred bills of indictment found, but they were all demurred out of court, so that no convictions followed the wholesale action of the grand jury. Of the officials of these first courts, Chapman, after being the first delegate in congress, went to Oregon, where he now re-

sides. Gehm, the marshal, is dead. Owens went to California, where he resides as a respectable, good citizen. Lines, the clerk, after holding the clerkship of the county for many years, went to Oregon, where he died in a few years time, leaving his family comfortable so far as the things of this world are concerned. Of the grand jury, Gregg, Briggs, Stephenson, Brattain, White, and Ross, all went to Oregon; Ayres, Anderson, Hawkins, Herring, Dunn, Guthrie, McClenney, Parker, Hundaker, Douglass, Wilson, Gilmore, O'Neil, and Smail, are all dead. Douglass, one of the brightest minds in the territory, was blown up on the Moselle on his return home from the inauguration of President Harrison, in the spring of 1841. He was to have one of the land offices at Burlington, and had he lived, would no doubt have been one of the leading men of the territory and state. Others of the members may be dead. Stone is a lawyer at Council Bluffs, and Wright still lives at West Point, and is as full of democracy now as then. Many of the parties named have changed their politics several times since 1837, but not so with David. I think it safe to say he has talked more unadulterated democracy in the thirty-four years since the meeting of that grand jury than any other man in the state. Capt. Guthrie, one of the noblest spirits that ever breathed, was killed in Mexico during the Mexican war. Guthrie was for many years a justice of the peace. His first commission came from the governor of Michigan territory, then from Governor Dodge, then from Governor Lucas, but all the time living and acting in the village of Fort Madison. I never knew what the captain's religious sentiments were, if he had any, but he drank no liquor, he did not gamble, he was always polite and manly, and moral courage itself. When trying a case, no man ever failed to get justice from Squire Guthrie because of his poverty or unpopularity, and no man ever got more than justice because of his wealth or position in society. He hated slavery, and loved justice and freedom. These qualities made him popular with all good men, but the very reverse with another class that were far too numerous at that

day, as well as now. But the captain loved to fish and shoot above almost any man that I ever met,—and Sunday being a leisure day, he too often would slip down into the bottom below town with his fishing-rod or gun, to fish or shoot ducks or prairie chickens. This distressed the church-going people so that at each time that his commission was to be renewed, there would be gotten up a strong remonstrance against his re-appointment, that would be signed by the worst and best classes of society, if the whisky-drinking, gambling fraternity, and the zealous churchmen are to be taken as the worst and best of society. But the middlemen always kept the captain in office as long as he wanted it. The captain was almost equal to Mr. Lincoln as a joker, often telling stories at his own expense. While the captain was justice of the peace he also acted as deputy county clerk occasionally, when the clerk was absent. One day when the clerk was absent a man by the name of Tungate came into the office, and called for a "pair of licenses" for a young man by the name of Mann and a Miss Brewer. Guthrie inquired into the case, and to make the matter sure, he made Tungate file his affidavit that the parents of the girl had given their free consent to the match, when he issued the license and promised to go down and marry the parties at four or five o'clock that afternoon. Brewer lived a few miles below town. At about 4 p. m. the squire took his dog and gun and started to the wedding, proposing to kill a few ducks on the way. Just as he got to the lower part of the town, he saw Tungate coming up the road in full run. The squire, supposing that something had happened to put off the wedding, stopped, but as soon as Tungate got within hallooing distance, he cried out, "Come on, come on — all right now; they have given their consent." When Tungate got his breath so that he could explain, it came out that Brewer and his wife had refused to give their consent to the match, until Tungate produced the license, when thinking that further opposition was useless, they gave their consent.

The jail in use at that time was a little log house on Elm

street, near the upper square, belonging to Henry D. Davis. Davis was a shoemaker, and used the jail as a shop, as well as renting it to the county. At that time the two hardest cases in Fort Madison were Jim Clark and Joe Morehead, both big, rough, drunken, dangerous fellows, and all the time in some sort of a scrape, and often in jail; in fact, to be in jail suited them well, for it gave them board at the county's expense, and they could go in and out as they pleased. On one occasion when Morehead was boarding at the jail, he cut up into all sorts of shapes, entirely destroying, the stock of leather that Davis had on hand. The next morning, when Davis went to his jail shop, he found his leather entirely destroyed. Morehead showed him the pieces as cut up, and inquired what sort of shoes he could make out of them. But Davis had no remedy. He could not prove that Morehead had destroyed his leather, and if he did, he had no business to use the jail as a shop. As before said, Squire Guthrie was no favorite with the rowdies. One day Jim Clark came and demanded a writ of ejectment against Joe Morehead. Guthrie had committed Clark to jail for some offense, and a few days later he had committed Morehead; and when the constable put Morehead in Clark went out, and demanded of the same justice that had committed them both, a writ of ejectment against the new comer for "jumping his claim," a squatter phrase of that day. Guthrie ordered Clark off, telling him to go back to jail, where he belonged. Clark went off and got from one of Guthrie's enemies the necessary fee for the writ, when he went back and tendered the money for the writ, when the squire again refused to issue the writ, and ordered Clark off, when Clark stepped outside of the door, swearing terrible oaths and threatening what he would do then and there if the writ was not issued at once, and for the purpose of carrying out his threat he commenced unbuttoning his clothes, when the squire took up a good hickory club, well selected for defense and the enforcement of the law, and with both hands belabored Clark until he hallooed "murder," "murder." By the time help came his head was completely

covered with cuts, bruises, and blood. Guthrie was arrested for assault and battery, and taken out five or six miles for trial. The trial lasted several days and was prosecuted with much bitterness by the enemies of Guthrie, and defended with great earnestness by his friends. Squires Briggs and Ross tried the case. Judge Viele prosecuted, and Henry Eno defended. The court acquitted Guthrie, deciding that the statute administered was not recognized by all the courts, but that its application as administered, and under the circumstances, was admissible and appropriate, and well calculated to be useful. Guthrie had no further trouble with the roughs—they found out that the “Yankee” would fight, and that fully satisfied them.

April 2d, 1838, the third and last term of court held in Lee county while a part of the territory of Wisconsin, was commenced in Fort Madison. The same Judge and other officers as at the previous terms. The grand jurors were, Theophilus Bullard, Jas. McAleny, Joseph White, Abraham Hundaker, Robert Herring, Jas. T. Dinwiddie, Wm. D. Knapp, Joseph Woods, Isaac Johnson, Charles M. Jennings, John Granter, Jesse Dickey, Henry D. Davis, John Gregg, Jefferson Chitwood, Wm. P. Hoagland, Lewis Pitman, Alfred F. Kenneday, Benjamin Thomas, and Hawkins Taylor. The lawyers in attendance at that court were, J. W. Woods, David Room, Henry Eno, M. D. Bendney, James W. Grimes, and Franklin Perin. Isaac Van Allen, now of Peoria, Ill., was admitted as a member of the bar at that court. At the suggestion of Judge Viele, the prosecuting attorney, Jas. T. Dinwiddie was made foreman of the grand jury. Dinwiddie was a hard working blacksmith, living a few miles below town, an honest man, a Kentuckian by *raising*, a man of powerful will and constitution, a good fighter, and was able to manage a large supply of whisky, and still wield the sledgehammer; but when the jury retired to the garret of the “Madison House,” where court was held, the foreman had much more than his usual supply. Maj. Herring moved that Hawkins Taylor act as secretay for the jury. This the fore-

man took as a direct insult, and declared that he could do "all the writing needed by the jury," and at once demanded that if any one was to be indicted, "bring them in." The first case presented was the steamboat Bee. The offense was the taking off the old man Kellogg, deputy sheriff, who had gone on board at Fort Madison to serve an attachment on the boat, when the captain cut his line and backed out, and took off the officer, carrying him down to Warsaw, and then only running near enough to the shore to let the officer jump off. Kellogg was a weakly, timid, good old man, When he appeared before the grand jury, the foreman took his pen and *marked* down the case, and then turned to the witness, and with great earnestness, said, "*Where is the steamboat Bee?*" To this the witness could give no positive information, as he had not seen her since the previous fall. The foreman then said bitterly, "If you want the steamboat Bee indicted, *bring her up here, bring her up here.* She may be gone to the devil, or she may be gone to Texas,—if you want her indicted, *bring her up here,*" and at once commenced to tear up the memorandum that he had made, saying, loudly but to himself, "No bill, no bill," and then turned to the witness and said, "You may go;" and he went, apparently, with about as much feeling of relief as when he escaped from the steamer the fall before. Several other cases were brought up and disposed of by the foreman in the same summary manner, one being a case of James Fike, for an assault with intent to kill, made on George Perkins, a peaceable, good citizen. In this case the foreman found a true bill. The next morning sentinels were placed below town to meet the foreman, and get him into the jury room before he had an opportunity to take more whisky than he could manage. The plan was successful, and after that there was no trouble with the foreman. But there were many amusing incidents that took place in the jury room. Amongst them, Henry D. Davis, who was a member of the jury, tried to indict Morehead, who had, while in jail, cut up and destroyed his leather, for breaking jail. Davis proved, by Isaac Johnson, another juror, that

Morehead was in the habit of crawling into the jail at night; in fact, that he went out and in when he wanted to. There were about sixty bills found by this grand jury, mostly for gambling. All of the bills were decided, on trial, to be defective. I believe that *no single* indictment found in Lee county up to the organization of Iowa territory, was sustained by the court on trial; but it was about as well as if they had been good. There was no penitentiary in the territory, and no place to keep criminals, and those indictments caused many to run off to where they had both jails and penitentiaries; and in those days Judge Lynch held court occasionally. In his courts there was no demurring to indictments, and so seldom mistakes in his rulings that there was a very wholesome dread amongst the worst class of criminals to coming into that popular court.

THE EARLY BAR OF LEE COUNTY.

[The following interesting sketch of a Court Scene in the pioneer days of Lee county we reproduce from the *Daily Constitution*, of Keokuk, in which able journal it appeared some months ago.]

THE traveler through Keokuk, as he views its superb private and public buildings, and notices the thick stream of human beings who throng its streets and marts of commerce, can hardly realize that thirty years ago nearly all the ground of Keokuk was covered by a dense growth of bushes and trees, and that the most important character then of the place, financially considered, was a wood dealer; one who had erected a log hut near the river, and there kept a wood-yard, selling occasionally a few cords to the few steamers which then ventured on the waters of the upper Mississippi. Yet such was the fact. The wood dealer referred to was a Yankee, who could turn his hand occasionally to any sort of business that would earn a penny; and he had managed by some means to become the owner of what was called in the

language of those days a "blanket title," to a portion of the "half-breed tract." That sort of a title usually cost a blanket, paid to some drunken Indian or half-breed; and though it had merits sometimes, yet usually was good for nothing.

But to return to our wood cutter. He sold his blanket title to the then clerk of the district court at Fort Madison, for eight hundred dollars, and took his note therefor upon six months time. When pay time arrived, the clerk refused to pay the note, on the ground that the title bought was valueless, and the note was obtained by the fraud of the wood cutter. This led to a law suit in the district court at Fort Madison, and the wood dealer had Hon. P. Viele, for his attorney, and the clerk had Miller and Gilbraith (D. F. Miller and W. H. Gilbraith) for his attorneys. Charles Mason was judge, and the case was one of the first issues submitted to a jury. The evidence of the witnesses being conflicting the trial was severely contested. The lawyers of Lee county, who have come here in late years, can hardly realize with what zeal, enthusiasm, and *sometimes* bitterness of debate, lawyers fought over their cases thirty years ago. The county was new, the lawyers were mostly young, and the struggle was, which among them should be enabled to secure the best legal character. They were fighting for place and reputation.

But to return to our law suit. When the evidence was all in, and the case ready for argument by the lawyers, Miller whispered to his partner, that their client was beaten unless plaintiff's attorney (Viele) made some mis-step in his argument of the case. Gilbraith took the hint, and being possessed of excellent speaking powers, especially in a case of severe criticism, and review of another's conduct, he pitched into Judge Viele's conduct as attorney for plaintiff, with severe animadversion. Viele showed signs of excitement during Gilbraith's excoriations, but husbanded his wrath for the concluding speech which belonged to him. When Gilbraith had concluded his remarks, Judge Viele commenced his concluding speech. His exordium was beautiful in language, though terrible in the denunciations of the opposing counsel;

but he was so much excited by controversy with the lawyers against him, that his argument was more declamation than solid reasoning, and fell much below his usual standard; for the Judge was usually an able debater. The exciting character of his speech, however, filled the court house with hearers who several times cheered the best of his periods. But we now come to the conclusion of the Judge's speech, which though touching in sentiment, yet as it was based in part on a mistake in fact, caused the Judge the loss of his case. The Judge pausing a moment, reached forward and taking his client (who was sitting near him) by the hand, raised him up, and standing him before the jury, said: "Here gentlemen is my client. He is an honest man, and his face bears the impress of his honesty. He is a hard working man, and his hands show his industry and his honest means of a livelihood. He has a wife and a large family of little children at his humble home in Keokuk, dependent upon his daily sweat and toil." As the Judge finished this period, his client stepped close to him and whispered, that he was not married. But the Judge had gone too far to retreat, and waiving his hand to his client indicative of a wish for him to step back, said to him in his usual bland voice, "Yes, my friend, it is all right; it will come out right." He then proceeded with his remarks to the jury as follows; "Yes, gentlemen, while I am addressing you, demanding justice at your hands for my client, at this moment, the wife and children of my client are standing at the doorway of their humble cottage home, with eyes strained up the road towards Fort Madison, looking for the return of the husband and father; and the first words that will greet my client on his return home, will be "husband," "pa," "have the court and jury at Fort Madison done you justice?" These remarks, delivered in a sympathetic tone, and with graceful gestulations, were greeted with a general buzz of approbation from the audience.

When the jury retired to consider of their verdict, it stood on its first vote eleven for plaintiff, and one for defendant. The eleven demanded of the one, why he went for defendant?

He told them that he had intended to go for plaintiff too, until he had heard Judge Viele's sympathetic appeal for the "wife and children," &c. "For," said he, "I know plaintiff well, and he has no wife nor children, and keeps '*bach*' in a log cabin; and as that statement of his lawyer was erroneous, I believe the whole claim is a fraud." This changed about half of the jury; and they disagreed, and were discharged. Before the next term of court, the Judge's client committed some act of "border warfare," somewhat common in Iowa, in those days, and fled the country, and neither he nor his note has since been heard of.

Ah! those were grand old days of pleasantry among lawyers of Iowa. But these resident lawyers who attended the Lee court in those days, Judge Viele, A. Rich, H. Eno, H. T. Reid, Ed. Johnston, D. F. Miller, W. H. Gilbraith, of Lee county, and M. D. Browning, D. Rorer, J. C. Hall, and H. W. Starr, of Burlington, and non-resident attorneys, who, also, sometimes attended the Lee courts, Cyrus Walker, O. H. Browning, and A. Williams, of Illinois, R. S. Blannerhasset, of St. Louis, Francis Key, of Baltimore, and ——— Walsworth, of New York, what changes has time made upon them! Several of the most eloquent have long since passed to the summer land; several have retired from the bar, oppressed with the weight of years; and those who still linger on this side of the river, are whitened with the frosts of age. A little while yet, and the pioneer lawyers of Iowa, like its "old settlers" in common, will belong exclusively to the history of the past; but the many anecdotes of their geniality, sociability, and forensic displays, will survive them and encourage those who succeed them, to rival their pleasantries, virtues, and honors.

REPORT OF CAMPAIGN AGAINST MAJOR GENERAL STERLING
PRICE, IN OCTOBER AND NOVEMBER, 1864.

(Continued from page 506.)

"BEING convinced of their intention to avoid a fight if possible, I determined to attack them at once.

"The 1st and 4th brigades were with me in the advance. I had directed the 2nd brigade to halt early in the day to procure forage for their horses to enable me to put them in the advance to press the pursuit at night; consequently I did not rely upon them to participate in the early part of the engagement.

"I had supposed that General McNeil's brigade of General Pleasanton's division was close up in my rear, and sent back to hurry it forward; while the 1st and 4th brigades of the 1st division were quickly deployed in line, and, under the cover of the fire of the 1st Colorado battery (McLain's) posted upon the bluffs, swept across the plain at a gallop until within musket range of the enemy's line. Skirmishers were rapidly deployed, and but a few moments elapsed until the engagement became general.

"I now ordered forward the 1st Colorado battery, which, with a section of howitzers attached to the 15th Kansas cavalry and under command of Sergeant Patterson of the 14th Kansas cavalry, poured a destructive fire into the enemy's ranks. It soon became evident that I was engaging all the available force of Price's army, which outnumbered me more than eight to one. Their superiority of numbers, enabling them to press upon my flanks with a large force, compelled me to fall back about five hundred yards from my first line, which was done in good order, and the line re-formed in the face of a terrific fire. The enemy pressed forward their centre, but were promptly checked by the canister from the first

Colorado battery. It was now near sun-down, and my command had been engaged nearly two hours and their ammunition was nearly exhausted, while a large force of the enemy was passing under cover of a corn field around my left flank, and my force being too small to extend my line in that direction, I was about to direct my line to fall back and take position on the bluff, when very unexpectedly the brigade of General Sanborn, of General Pleasanton's command came up. I immediately placed them in position on my left, directing General Sanborn to dismount his men and advance through the corn field, which was promptly executed, repulsing the flanking column of the enemy, who now abandoned the field and retreated rapidly under cover of the night in the direction of Pineville, leaving their dead and wounded in our hands."

The General especially names Col. Ford, Lieut. Col. Hoyt, Major Ketner, of 16th Kansas, Captain W. D. McLain, of the Colorado battery, Lieut. J. B. Pond, 3rd Wisconsin cavalry, and Sergeant George Patterson, of the 14th Kansas, who deserve the high commendations he bestows upon them.

General Sanborn's report was made to General Pleasanton and published some time ago. It does not materially differ from the foregoing, and hardly does himself justice for gallantry on this occasion.

Lieut. Col. Hoyt commanded the 1st brigade, Kansas and Wisconsin troops who, behaved as usual, in the most gallant manner. Col. Ford commanded the 2nd brigade and reports concerning the battle as follows: —

"From this time (after leaving Fort Scott on the morning of the 26th) until the afternoon of the 28th we continued marching night and day, with but short halts and small feeds, following at all times the trail of the enemy. About 10 o'clock A. M., my brigade being in advance, we discovered the enemy's rear in the edge of the woods north of Shoal Creek. I sent two companies of the 16th Kansas cavalry into the woods as skirmishers, who soon reported that the party was about 200 strong, and retreating fast. I then pressed rapidly forward, and upon reaching Granby ascertained that they had just passed

through and that Price's whole army was doubtless at Newtonia, distance five miles. The advance soon reported that the enemy's train was in sight and but few men visible. I hurried forward at a gallop, and when within two miles of the town saw the rear of the rebel train entering the woods beyond town on the Cassville road. The battery was immediately planted on the bluffs and commenced throwing shell, while the 16th Kansas cavalry and 2nd Colorado cavalry were formed into two lines and ordered to charge down towards the enemy's train, the charge being led by the Major General commanding the 1st division, in person. We advanced at a rapid gallop with skirmishes in front until we came upon the main body of the enemy, who was formed three lines deep and the front line dismounted. The action was commenced in earnest, and for three hours with less than nine hundred men (my brigade consisting of less than six hundred), we contended with the enemy of ten times our number and closed the day by driving him from the field, leaving his dead and wounded in our hands. During the hottest of the engagement the enemy threw a large body of men upon our left, their fire telling fearfully upon our small force; but the left, commanded by Major Ketner (commanding 16th Kansas cavalry) never moved or flinched, but answered shot for shot. The brigade remained on the field until nine o'clock P. M., when it went into camp in the town of Newtonia."

"Major C. S. Charlot, my Ass't Adj't General, asked leave to keep with the advance on the 28th, and he thus briefly reports his observations and gallant participation in the battle:"—

"We crossed Spring River and reached Carthage, Mo. before daylight on the 28th, and halted the command for rest and feed three hours, when the column was again in motion. Riding forward, I reached the front at 11:30 at Diamond Grove, where the enemy, with their train was in plain sight. General Blunt came up immediately and ordered an advance. We had overtaken Major McKenny, bearer of a flag of truce, but the flag was ordered back, and Major McKenny, taking

his escort, advanced against the enemy as skirmishers. Col. Ford's brigade, Major Ketner of 16th Kansas cavalry, in the advance, went forward and messengers were sent to the rear by General Blunt to hurry forward the whole command. The enemy retreated rapidly out of sight, but at Newtonia the advance under Col. Ford came upon them again. General Blunt came up immediately (about 3 o'clock) and ordered a charge which was made by the 2nd Colorado and 16th Kansas, the General leading in person; McLain's battery opening on the enemy at the same time, supported by the 15th Kansas under Lieut. Col. Hoyt. This deployed their whole line, which now threatened to turn both our right and left flanks. Orders were sent back to McNeil, who was supposed to be in our immediate rear, and to Moonlight who had not yet come up, but both these commands had been halted to feed, and did not reach the ground in time to take part in the action. With the 2nd Colorado, 15th and 16th Kansas, all together less than 1000 men, we fought the whole of Shelby's division, and had succeeded in driving them in the centre of their line when General Sanborn unexpectedly arrived, and rapidly forming on the left, charged the enemy's right, and our victory was complete. Night coming on pursuit was impossible and the command returned to Newtonia, where the remainder of our column had already arrived and gone into camp.

Unfortunate Orders and Consequent Delay.

"Closing the day at Newtonia, the 28th October, with a complete repulse of the enemy, I gave orders for a renewal of the pursuit at three o'clock next morning. Price being hard pressed had paroled the prisoners whom I had sought to secure by Major McKenny's dispatches, and they, with the slightly wounded were sent back to the rear. I sent you the following dispatch:—

"NEWTONIA, Mo., October 28th, 8 o'clock P. M., 1864.

Major General Halleck, Chief of Staff:—

"We came up to the enemy at this place this evening and General Blunt in advance immediately engaged him. General Sanborn with his command soon joined the advance, and the rebels were again routed with heavy loss. They now run towards Cassville, where I shall continue after three hours rest.

"S. R. CURTIS, *Major General.*"

Everything now promised a complete success in view of our proximity to the enemy, his exhausted condition, and his disastrous defeat. He was still in a fruitful section of Missouri, but by pressing him another day or two he would have no time to collect supplies, and would reach the devastated, destitute region of Arkansas without provisions, and must surrender or starve. Meantime I had arranged for light rations to follow me from Fort Scott by night and day, fast drives, in wagons half loaded. The capture of Price's army in the Ozark or Boston mountains, which were between us and the Arkansas river, seemed to me inevitable. But as the troops were commencing the march on the morning of the 29th October, General McNeil in advance, I received the following dispatch:—

"FORT SCOTT, October 27th, 1864.

"Major General Curtis, Commanding Dep't of Kansas:—

"GENERAL:—Major General Rosecrans has just telegraphed me instructions from Warrensburg to send Generals Sanborn and McNeil to their respective districts at Springfield and Rolla, and to conduct the remaining brigades with the captured prisoners and property of this command to Warrensburg. I shall therefore start to-morrow morning to execute these orders.

"Very respectfully your ob't servant,

"A. PLEASANTON, *Major General.*"

Generals Sanborn and McNeil received corresponding orders by the same messenger, and immediately prepared to carry them out, leaving only the shattered remainder of General Blunt's division, less than a thousand strong, for me to dispose of. I was astonished and sorely disappointed. These orders evidently grew out of a misunderstanding of my ability to overtake the enemy, as I had done at Newtonia. I have since seen a telegraphic communication dated on the 26th or 27th October, sent by General Pleasanton from Fort Scott to General Rosecrans, representing our successes on the 25th as a complete destruction of Price's forces, and holding out the idea that pursuit beyond Fort Scott was needless. Whether before or after the date of General Pleasanton's assurance to me of hearty co-operation, these orders were in conflict with my hopes and expectations, arising from his letter to me of the 27th, and very unfortunate in view of the further pursuit ordered this very day (October 28th, but not yet received) by the Lieut. General. But there seemed no remedy in my reach. At Newtonia I was sixty or eighty miles from telegraphic communications, and could not get explanations to General Rosecrans in time to arrest the retiring of his forces, which General Sanborn informed me he would immediately commence. I telegraphed you some of my ill humor as follows:—

“NEWTONIA, October 29th, 1864.

“*Major General Halleck, Chief of Staff*:—

“After our victory last night, I started the troops at 3 o'clock this A. M. in further pursuit of Price, General McNeil in advance, when orders from General Rosecrans through General Pleasanton were received, taking General McNeil to Rolla and General Sanborn to Springfield, and otherwise disposing of all of their troops, including my prisoners, who have remained in the rear. I am left with only the fragment of my own regular volunteers, not exceeding one thousand, fit for duty, and deeming it improper to continue a pursuit in another department, suspended by its proper commander, I shall return by slow marches to my own department command.

“S. R. CURTIS, *Major General*.”

"NEOSHO, October 29th and 30th, 1864.

"Having telegraphed you at Newtonia, and provided as well as I could for the wounded Union and rebel soldiers that could not be brought away, I moved with my little remaining force to Neosho, a homeward movement of twelve miles. Believing our campaign concluded, we sought and secured comfortable lodgings and food, which we all much needed; but at midnight I was much and agreeably surprised by a messenger bringing your dispatches of the 28th, the most important of which was as follows:—

"WASHINGTON, October 28th, 1864.

"*Major General Curtis* :—

"Lieutenant General Grant desires that Price be pursued to the Arkansas river, or at least until he encounters General Steele or General Reynolds.

"H. W. HALLECK, *Chief of Staff.*"

This dispatch clearly overruled General Rosecrans's order of the 27th, received by me at Newtonia twenty-two hours before, and justified my immediate exertions to re-call the troops of General Rosecrans to the pursuit. Calling up my officers I immediately directed orders, such as the following, to be sent instanter by couriers to each of the retiring brigades.

"HEAD-QUARTERS ARMY OF THE BORDER, {

"In the field, Neosho, Oct. 30, 1864. }

"Dispatches just received from Lieut. General Grant require me to continue the pursuit of Price to the Arkansas river.

"You will therefore proceed, forthwith, to Cassville, by the nearest and best route, reporting to me at that place.

"This countermands all orders received by you from Generals Rosecrans and Pleasanton, concerning a retrograde movement.

"Very respectfully your obedient servant,

"S. R. CURTIS, *Major General.*"

These were sent to Brig. General Sanborn, Brig. General McNeil, Colonel Phillips, Lieut. Colonel Benteen.

I also telegraphed General Rosecrans, as follows:—

“HEAD-QUARTERS ARMY OF THE BORDER, }
“In the field, Neosho, Oct. 30, 1 A. M., 1864. }

“*Major General Rosecrans*:—

“An order just received from Lieut. General Grant, directing the pursuit of Price to be continued to the Arkansas river, seems to conflict with your order directing the troops of General Pleasanton to their several districts, I have therefore, ordered your troops to resume the pursuit, supposing it will meet with your approbation as there are no other troops sufficient to carry out the purpose of the Lieut. General commanding.

“Since my militia have left me your portion of the command has been much the greatest, and I have expected your arrival to assume the responsibilities of the movement against Price.

“S. R. CURTIS, *Major General*.”

I also telegraphed you, as follows:—

“HEAD-QUARTERS ARMY OF THE BORDER, }
“NEOSHO, Missouri, 1 o'clock A. M., Oct. 30, 1864. }

“*Major Gen. Hallock, Chief of Staff, Washington, D. C.*:—

“Your dispatch informing me of the wishes of Lieut. General Grant, to pursue Price to the Arkansas river is just received.

“I sent curiers with orders to this effect directed to the several brigade commanders of the troops of General Rosecrans, who had abandoned the pursuit by his orders. I will proceed with my own force towards Cassville, hoping to concentrate sufficient troops at that point to resume the pursuit.

“S. R. CURTIS, *Major General*.”

Before leaving Neosho, on the 30th, I also sent the following more extended report, which was dispatched by telegraph from Fort Scott, Nov. 1st. These dispatches are set out in this report to make me properly responsible for my share of the influences that led to the action of the Lieut. General and yourself:—

"HEAD-QUARTERS ARMY OF THE BORDER, }
"NEOSHO, Missouri, Oct. 30, 1864. }

"Major Gen. Halleck, Washington, D. C: —

"I desire the Lieut. General to understand that, from the commencement of the effort in this campaign, I have had to occupy a debatable position as to my authority over troops, while a necessity pressed me forward.

"The militia cavil about going across state lines, and General Rosecrans's commanders, except one or two, ever since we formed a junction, expressed a conviction that they had done enough, and urged, with much truth, their long march and general destitution as the reason for delay. I used arguments, expostulation, and orders, till we fought at Charlot, opposite Fort Scott. Here General Pleasanton, without consulting me, flanked off most of his force and insisted that further pursuit was needless. I did not know where General Rosecrans's head-quarters were, for he had been shifting them fifty or sixty miles in the rear, and matters required immediate action. I therefore informed General Pleasanton that I assumed the responsibilities and must exercise the prerogatives of rank, and direct him to resume the pursuit.

"To this he yielded and ordered his brigade to join me. They were in full march when General Blunt overtook the enemy at Newtonia, and General Sanborn's brigade came up in time to secure a victory, where we had only been able to hold our own for two hours, with considerable loss on both sides.

"The pursuit was resumed, when the order of General Rosecrans came, directing his troops to their several district locations, and they immediately commenced to carry out that order.

"This left only my department volunteers who had borne the brunt of the last battle, and were sadly reduced in numbers, not exceeding one thousand effective men. My militia had left me at Fort Scott, supposing, very reasonably, that the united regular volunteers were enough to pursue Price.

I saw no alternative and, with mortification, returned from the retreating foe.

"Both Generals, Rosecrans and Pleasanton, were a hundred miles in my rear, and it seemed impossible to correct this mistake. I am sure they would not have withdrawn their troops if they had been present, both supposing I could not again overtake Price.

"I had fallen back twelve miles, to this place, when I received your dispatch informing me that 'the Lieut. General desires that Price should be pursued to the Arkansas,' and I immediately issued orders announcing this to all the troops, directing them to return by the shortest lines to the pursuit.

"I still occupy a debatable position and have telegraphed General Rosecrans my desire that, as a large majority of the troops are his, he should come and assume command.

"The necessity of pushing Price's force beyond the Arkansas is so obvious I have not hesitated to disregard department lines, and act only in view of results which involve the safety of our little garrisons in front and the future peace of the inhabitants of Missouri, Kansas, and Arkansas. I was not well when I started, and have been eighteen days without changing my clothes, but I am now well and willing to do all in my power to execute the wishes of the Lieut. General, and only fear that conflicts, or doubts, in relation to orders may embarrass my movements.

"Price is now entering a mountainous country, very destitute of supplies, and his men are actually falling dead of starvation in his rear. They hang together under the impression that we kill all prisoners, a falsehood well calculated to retain his force intact. He still has three pieces of artillery, and his numbers are very great. He has destroyed most of his train and is very destitute, but all of his men being mounted, he continues to make rapid progress which can only be overcome by extraordinary efforts on the part of our troops.

"The delay occasioned by General Rosecrans's orders will be equivalent to thirty-six hours, but it is partially compen-

sated by a little rest and food, which we were unable to procure in this vicinity.

"I must say, in conclusion, that I desire to avoid all reproachful imputations against Generals Rosecrans and Pleasanton, who have acted, no doubt, upon their best judgment as things are seen at their stand point. I must award to General Pleasanton high commendations for his skill and gallantry in the field. I do not mean to depreciate others of whom I shall speak in my proper report, and who have not only been gallant in many fields, but are constantly willing to aid me, to the utmost of human endurance, to carry out what I consider a complete result of this campaign.

"I have the honor to be your obedient servant,

"S. R. CURTIS, *Major General.*"

The foregoing correspondence shows all the facts, in my possession, concerning the withdrawal of forces from the pursuit of Price. But for the presence of our united troops the people of south-west Missouri were overpowered and Price had everything, including the approaching elections, his own way, just as he had them 1861, when he controlled the state of Missouri in this same vicinity. Besides, there were the posts of Fayetteville, Fort Gibson, and Fort Smith below, near and on the Arkansas where we had a vast amount of public stores and several thousands of our comrades who were at the mercy of Price's starving, stealing hordes.

I had, as subsequently directed by you, sent a dispatch to General Thayer, Fort Smith, from Fort Scott, dated Oct. 26th, informing him that I was "trying to continue the pursuit till his force is entirely destroyed or beyond your post," and in every point of view it seemed necessary to press the enemy beyond these posts. Your dispatch of the 28th, informing me of the wishes of the Lieut. General, that the enemy should be pursued beyond the Arkansas, was singularly appreciative of all this; the only misfortune is, that it did not arrive twenty hours sooner.

An honest difference of opinion existed, as shown by a

dispatch sent by General Pleasanton to General Rosecrans, from Fort Scott on the 26th or 27th, and also, by a communication emanating from General Sanborn, which is as follows :—

“HEAD-QUARTERS DISTRICT SOUTH-WESTERN Mo., }
“SPRINGFIELD, Mo., Nov. 12th, 1864. }

“*Major General Pleasanton* :—

“I have just returned from Cassville and will forward my official report of the campaign, in a few days.

“No one has fired a shot at the enemy since the battle of Newtonia, where the enemy gained great advantage over Blunt at first, but my command got in in time to turn the enemy's right, and the tide of things.

“The enemy lost very largely in men and horses in Northern Arkansas and the border. My idea was, and is now, when we get him below Newtonia and the region of grain, mills, and cattle, we should not crowd him any more, but rather make an effort to hold him in this land of starvation as we would a garrison out of supplies, until his army broke up and divided. Deserters were very numerous while Price was in this section, but I have seen more since he was pushed off towards his supplies.

“My own view is, that all the efforts of General Curtis to drive the enemy,—and they have been great, and entitle him to credit,—have been to our detriment and the enemy's advantage, for I believe one-half of his army would have deserted north of the Arkansas, had it not been for fear of the pursuing foe, and the pursuit has been expensive ; but the enemy has suffered badly and all should be satisfied I suppose.

“My dispatches from General Thayer indicate that the troops on the Arkansas will not attack Price.

“JOHN B. SANBORN, *Brig. General Commanding.*”

General Sanborn commanded the district about Fort Scott and Newtonia, where Price's forces were foraging and burning, and murdering ; and if not driven out would also have returned on my department with his marauding bands of

guerrillas, bush whackers, and "deserters," which I desired to have as far from my lines as Texas.

Having now promulgated your order so as to bring the forces back to the pursuit, I immediately returned to Newtonia, and on the next day, Oct. 31st, I moved towards Cassville, as far as Gadfly, where I ascertained that Price had moved, with his main force, toward Pineville, and resumed his position on what is known as the state line road. I therefore turned due south and camped near Keitsville, making short marches to allow my expected reinforcements to come up.

On the morning of Nov. 1st, Lieut. Colonel Benteen joined me at the ruins of Keitsville with his brigade, about one thousand eight hundred strong. This force was composed of portions of the 10th Missouri, 3d and 4th Iowa cavalry, and some Indiana cavalry, all veteran volunteers, many of whom had served with me in my campaign of 1862 through this same country, and shared in the glory of our struggles at Keitsville, Cross Timber, Sugar Creek, and Pea Ridge. This brigade was the best equipped, disciplined, and commanded force in the field, and I now had about three thousand men, with sufficient artillery also, so arranged by doubling teams as to move with the usual speed of cavalry forces. I moved forward and camped near Pea Ridge, Arkansas, where, as I telegraphed you, I expected McNeil would overtake me.

This force not arriving, I remained the 2d, during which period I received a reinforcement of fifty men from Cassville, forwarded by Major Melton, who commanded the post. I also ascertained that my couriers sent to Generals McNeil and Sanborn did not overtake them till they were near Springfield, and being near they had gone to get supplies, etc. Still I hoped they would overtake me, but determined to proceed and press the foe with my three thousand against their boasted thirty thousand. I sent prisoners, taken on the road, to General Rosecrans with the following note:—

"HEAD-QUARTERS ARMY OF THE BORDER, }
"In the field, camp near Pea Ridge, Ark., Nov. 2d, 1864, }
"Major General Rosecrans :—

"Understanding that you have ordered most of our prisoners to St. Louis, I send you those taken since. I have waited the return of some more of your troops for the pursuit of Price, but will proceed cautiously with what I have, hoping to deter the enemy from besieging and taking the posts in Western Arkansas, and to rid the country of Price's desperate hordes.

"I have the honor to be, General, your obedient servant,

"S. R. CURTIS, *Major General.*"

After distributing a few rations that overtook us in a terrible storm of rain and snow, I moved forward on the 3d, camping at night near Cross Hollows. During the day Colonel Benteen received an order from General Rosecrans directing him to report to General Sanborn, at Cassville, transmitted through General Sanborn at Springfield, on the 2d.

This order was subsequently explained, as having been issued on the supposition that I was still at, or near, Cassville, and on the supposition that it was so issued, I ordered Lieut. Colonel Benteen to continue with me, reporting my conduct to General Rosecrans and to yourself. My report to you is as follows :—

"CROSS HOLLOWS, Nov. 3d, 1864.

"Major General H. A. Halleck, Washington, D. C. :—

"General Thayer, at Fort Scott, and Colonel Harrison, at Fayetteville, send me dispatches urging me forward to save them from Price. Three days unremitting rain and snow detain me, but I hope my advance will reach Fayetteville to-night. Price's forces were yesterday on two sides of that place, but were not attacking our troops. General Rosecrans, at Jefferson City, yesterday, and General Sanborn, at Springfield, to-day, ordered Colonel Benteen's brigade to report at Cassville. This is a material part of my force, and I cannot

believe these officers would again embarrass my operations were they acquainted with the circumstances. I hope, therefore, my order to Colonel Benteen will receive your approval and that of General Rosecrans.

"Your dispatch informing me that General Rosecrans is ordered to pursue Price to the Arkansas, does not, as I suppose, relieve me from concurrent duty implied by your former dispatch, expressing to me the desire of the Lieut. General.

"S. R. CURTIS, *Major General.*"

[TO BE CONTINUED.]

EDITORIAL NOTES.

—MR. C. CHILDS, of Dubuque, one of the most competent persons in the state for the task, proposes to write and publish a "History of Iowa Newspapers," and by his suggestions has set half the papers of Iowa to publishing their autobiographies. Mr. Childs is a pioneer newspaper man of Dubuque, and is constantly giving the readers of one or the other of the two excellent daily journals of his city valuable historical sketches, and has promised to furnish an occasional article for the ANNALS OF IOWA. His papers, "Names of Iowa Newspapers," and "Corrections of Indian History," the first of which was published in the Dubuque *Herald*, and the second in the *Times* of the same city, have been widely copied by the Iowa press, and would find a place in the ANNALS but for the pre-engagement of our pages for original contributions.

—MR. E. BOOTH, editor of the Anamosa *Eureka*, who writes better than he talks, and whom we gladly welcome as a collaborator, besides his *Reminiscences of Twenty-seven Years Ago*," printed in the present number, is under verbal bonds to us to furnish a paper for our next on the preliminary steps taken to organize the "Iowa Institution for the Deaf and Dumb." It cannot fail of interest, since, aside from the curiosity that all benevolent readers will have to know the particulars of the inception of that noble and well administered state institution, it promises to treat coincidently of such illustrious personages as the late John C. Calhoun.

—"NOTES on the Early History of Pottawattamie County," the first part of which, published in the April ANNALS, was so well received, will be continued in the October number.

— WE have a short paper on "Old Soldiers," from a former contributor, F. Snyder, esq. (lately a resident of Iowa, but now living in Nodaway county, Missouri), which will appear in the next issue, but is crowded out of this.

— THE early settlers of Dubuque, at a late meeting, passed resolutions looking to the erection of a monument and the publication of memorial sketches of the lives of the late John King and William Carey Jones, the first editors, and Andrew Keesecker, the first compositor, of the *Dubuque Visitor*, which was the first newspaper published in Iowa, its initial number having been issued May 11th, 1836. At the same meeting a citizen of Dubuque offered to donate a suitable lot in Linwood Cemetery for the proposed monument.

— THE *Annual of the Iowa Agricultural College* for 1871 is a nice pamphlet of one hundred and twenty-five pages, well printed by Mills & Co., of Des Moines, and embellished with a good engraving of the main college building. The *Annual* contains the names of the professors, tutors, and officers of the college, and of the Board of Trustees, together with those of the two hundred and eighteen students, male and female, who were enrolled in its classes last year. It also gives a complete but concise history of the organization of the institution, the texts of the acts of congress making donations of lands for its support, the several laws of the general assembly of Iowa, touching its government or making appropriations of money to it, a complete exhibit of the funds received and how expended, and the full proceedings of its Board of Trustees, which look as if its managers were not ashamed of their doings, and is in direct and pleasing contrast with the dark-lantern ways of the regents of the State University, whose minutes never see the light of official publication. Any one who wants to know all about the Iowa Agricultural College, predestined to be the greatest educational institution of the state, for the reason that it was born of modern wants, and not modelled after the educational necessities of the middle ages, aims to promote and elevate the chiefest and best occupation of our people,— the tillage of the soil,—and does not attempt to impart knowledge which it has not and can not have the facilities for illustrating, should send to the secretary of the faculty, Charles E. Bessey, Ames, Story county, Iowa, for a copy of this pamphlet.

— WE have had it in mind for a long time to make a full and generous notice of that worthy and able educational periodical, the *Iowa School Journal*, but as the last number published has failed to reach our desk, we defer saying more at present than that the numbers we have examined give abundant evidence of hard work, watchful care, scholarship, and superior tact and talent on the part of its editorial managers, and that a practical Iowa school teacher has no more business to be without his *School Journal* than a minister in the pulpit would be without his Bible.

ANNALS OF IOWA.

VOL. IX.

IOWA CITY, OCTOBER, 1871.

No. 4.

THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

[Continued from page 580.]

THE CONSTITUTION OF IOWA, AND THE FIRST STATE LEGISLATURE.

THE legislature, which met on the first of December, 1845, passed no act until after the first of the following February. The late depression in business had been felt all over the country, and thousands had been reduced from opulence to poverty and want. Many, who had married large fortunes, had not only lost their own property, but the means obtained by their wives had been taken to the last cent to pay the debts of their misfortunes, and their wives and families left penniless. A great many persons of this character came to Iowa for the purpose of retrieving their fortunes. Owing to these circumstances, woman's rights was a popular question, and this legislature, for the first time in Iowa, passed an act concerning the rights of married women. This act provided that if any married woman "became seized or possessed of any real estate in her own name, and as of her own property," unless she obtained it through her husband, it "should in no case be liable for the debts of her husband."

There was an act passed at this session defining the boundaries of the counties of Wayne, Lucas, Warren, Polk, Marshall, Jasper, Story, Boone, Dallas, Madison, Clark, and Decatur; also acts making provisions for organizing the counties of Appanoose, Benton, Jasper, and Polk — the last three to be organized, and have all the privileges of other organized counties, after the first of the coming March, and the first after the first of the next August.

But the most important measure of that session was a law providing for a convention for the purpose of making another constitution. The law provided that the convention should consist of thirty-two members — only about one-half of the number composing the first convention. The delegates were to be citizens of the United States, to have resided six months in the territory previous to the time of their election, to be elected at the April election, and meet at Iowa City on the first Monday of the next May. The constitution, when formed, was to be submitted to the vote of the people at the next August election, for their rejection or ratification; and, if ratified, it was then to be sent to congress, to be admitted into the Union as a sovereign state. This constitution varied, in some respects, very materially from the first constitution, particularly on banking.

Sometimes small things produce great results. Such was probably the case in forming this constitution. Ver Plank Van Antwerp, soon after his difficulty with Bainbridge, sold out his interest in *The Iowa Capital Reporter* to Jesse Williams, and being disaffected towards the democracy of Iowa, left the territory and went to St. Louis, where he started a paper to advocate the claims of Thomas H. Benton for a reelection to the United States senate. He conducted this paper until after there was a change in the administration of the general government, by James K. Polk succeeding John Tyler. Finding his paper at St. Louis a losing concern, and having devoted himself zealously in securing Benton's election to the senate, and relying on his friendship and influence, he was an applicant for an office under the new administra-

tion. He first sought a foreign mission, then to be commissioner of the general land office, but failed to get either. He was offered the position of receiver in the land office at Fairfield, which he took, gave up his paper, moved back to Iowa, and aspired to be the leader of the democratic party. Soon after the bill authorizing another convention had become a law, Van Antwerp got up a convention of the democrats of Jefferson county, before which, at his own instance, he introduced a series of resolutions, laying down the provisions that should be incorporated into the constitution.*

* The following are the resolutions:—

Resolved, That the following provisions (in substance) ought, in the opinion of this meeting, to be adopted as part of the constitution of the state of Iowa, by the convention which will assemble at Iowa City on the first Monday of May next; to-wit:—

1. No religious test to be required as a qualification for holding office, or for any other purpose, under any pretense whatever.

2. The right of suffrage to be made as broad and comprehensive as it is in any of the states that now compose the Union (except that negroes shall never vote), and to embrace persons not yet citizens of the United States, but who have declared their intention to become such, have resided in the state for a year thereafter, and possess the other qualifications required of citizens.

3. All elections to be by ballot, except those by the legislature; the latter to be *viva voce*, and the vote of each member to be entered upon the record.

4. No bank or other institution ever to be created by the legislature with the power of issuing its own notes, or the notes of any other bank, public institution, or private individuals, and a further prohibition against the issuing, by any individual or individuals, of all bills, checks, promissory notes, or other paper, to circulate as money.

5. Monopolies, being contrary to the genius of a free government, and dangerous to the rights of the people, never to be allowed. A total prohibition, therefore, to be made against the passage by the legislature of any special act of incorporation for any purpose whatever; but that body to be left to enact general laws under which associations for literary, religious, and other purposes may be formed and regulated, every member of such association to be held individually liable for all claims against the body of which he is a member.

6. The election of every officer (including judges of the supreme and circuit courts) that can be conveniently chosen by the people, to be given to them.

7. The credit of the state never to be loaned to any man, or set of men, for any purpose whatsoever; and the provisions against the creating of a state debt, enacted by the convention which assembled at Iowa City in October, 1844, to be substantially adopted.

8. The legislature not to assemble oftener than once in two years, unless called together in recess by proclamation of the governor; and that never to be done for light and trivial causes, but only in case of pressing emergency.

9. The per diem compensation of members of the legislature not to exceed three dollars per day for the first sixty days from the commencement of the session. If they continue in session longer than that, they shall receive no compensation for it.

10. No imprisonment for debt to be allowed.

11. No lottery to be authorized, and the sale of lottery tickets in Iowa to be prohibited.

12. No divorce to be granted by the legislature.

The convention was fully attended, and the resolutions met with but little opposition, except those in relation to corporations. After Van Antwerp had read his resolutions, it was decided to pass upon each resolution separately.

The fourth section (relative to banking) having been again read, Charles Negus moved to amend the same by adding thereto the words "unless a bill to charter a bank shall first have been passed by the votes of two-thirds of the members of the legislature, and afterwards submitted to the people for their confirmation or rejection." On this motion a spirited and protracted debate arose, in which Charles Negus, Samuel Shaffleton, George Acheson, William H. Lyons, W. E. Graff, and Van Antwerp participated — Negus and Acheson sustaining the motion, and the others opposing it. This amendment was voted down, with but three dissenting votes; and all the resolutions, as offered, were adopted by the same vote. These resolutions, with the proceedings of the meeting, were published in the democratic papers throughout the territory.

For the purpose of sustaining the provisions of his resolutions, Van Antwerp was anxious to be a delegate to the convention, and offered himself as a candidate, but failed to

13. No law passed by the legislature to embrace more than one object, and that to be distinctly stated in the title.

14. The duration of all offices not fixed by the constitution never to exceed four years.

15. The sessions of neither house of the legislature to be held with closed doors, except in time of war.

16. The most liberal provisions to be made for the cause of education, and especially for the increase and encouragement of common schools.

17. Every person to be disqualified from holding office in Iowa who shall have been convicted of having given or offered a bribe to secure his election or appointment.

18. All civil officers to be required to reside within the state, and all district or county officers, with their offices, at such place therein as may be required by law.

19. The extension of our territory to the Missouri river as the western boundary of the state to be adhered to, and made a *sine qua non* to our admission into the Union.

20. And, lastly, provision shall be expressly made that, as a true basis of representation, a new census of the people shall be taken prior to the first election under a state government; and, further, that the constitution, after having been submitted to congress if altered by that body, either in regard to the boundaries of the state or any other essential particular, shall not go into effect unless first ratified by the vote of a majority of the qualified electors of the territory, at an election to be subsequently held.

be elected. Though having no right to participate in the proceedings of the convention, fearing his views, particularly on the banking question, might not be adopted, he attended as a lobby member during the whole session; and the result was, most of the provisions of his resolutions were incorporated into the constitution. And thus the convention held in Jefferson county had much to do in shaping the destinies of Iowa.

The delegates met at Iowa City on the fourth of May, and organized their body by electing Enos Lowe president and William Thompson secretary; and closed their labors on the seventeenth of the same month, having been in session a little over two weeks.

The only questions which elicited much debate, and met with strong opposition, were the boundary and that portion of the constitution in relation to corporations. The boundary, after being fully discussed, was settled by adopting the boundaries of the first constitution, except on the north and north-west. The parallel of forty-three degrees and thirty minutes north latitude was made the northern boundary of the state, and instead of starting in the north-west, from the mouth of the Sioux river, "thence in a direct line to the middle of the main channel of the St. Peter's river, where the Watonwan enters the same," it ran up the main channel of the Sioux until it reached the parallel of the northern boundary.

Curtis Bates, a democrat from Johnson county, as chairman of the committee on corporations, made the following report:—

"1. No corporate body shall be hereafter created, renewed, or extended, with banking or discounting privileges.

"2. The stockholders in all private corporations, except corporations for the purpose of education, charity, or religion, shall be responsible in their individual and private capacity for all debts and liabilities of every kind incurred by such corporation.

"3. The legislature have the power to amend or repeal all laws creating private incorporations."

J. Scott Richman, of Muscatine county, moved to amend by striking out the second and third sections, and inserting:

"WHEREAS, All sovereignty resides in the people, and the creating of a corporate body is one of the highest acts of sovereignty, therefore this convention concludes that the people have the right, through their representatives, to grant such corporate privileges as may be deemed conducive to the public good."

Shepherd Leffler, of Des Moines county, moved to amend the amendment by adding the following:—

"Or the right to prohibit them altogether, through this convention, their representatives, if the people should deem such prohibition for the public good."

This amendment was agreed to, but the amendment of Richman, as amended by Leffler, was defeated.

Bates moved to amend the report by striking out the first and second sections, and inserting:—

"1. No corporate body shall hereafter be created, renewed, or extended with the privilege of making, issuing, or putting in circulation any bill, check, ticket, certificate, promissory note, or other paper, or papers of any bank, to circulate as money.

"2. Corporations shall not be created in this state by special laws, except for political or municipal purposes; but the legislature shall provide, by general laws, for the organization of all other corporations, except corporations with banking or discounting privileges, the creation of which is prohibited. The stockholders shall be subject to such liabilities and restrictions as shall be provided by law."

John Ronalds, of Louisa county, moved to amend the first section of Bates's amendment by adding the following:—

"Unless the law creating such corporate body, or renewing or extending its privileges, shall be published in the newspapers in this state at least four months preceding a general election for county officers, and shall receive at such election a majority of all the votes polled for and against said law."

This amendment was voted down by a vote of twenty to eleven.

Thomas Dibble, of Van Buren county, moved the following for the first section:—

“No corporate body shall hereafter be created, renewed, or extended with the privilege of making, issuing, or putting in circulation any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money, except the question of corporation, with the law enacting the same, before it becomes a law, shall have been submitted to a vote of the whole people, at some convenient election, the majority of whose votes shall be deemed a confirmation of the same.”

Which substitute was adopted by a vote of sixteen to fifteen.

Dibble then moved to amend by adding the following as a second section:—

“The general assembly may at any time propose alterations, or a repeal of any such corporations that may have been created, and any such proposition shall be submitted to the people, as provided in the foregoing section, and shall be confirmed in like manner.”

Samuel A. Bissell, of Cedar county, moved to amend the amendment of Dibble by substituting the following:—

“The general assembly shall have power to repeal, alter, or amend any act of incorporation, when satisfied that its operations are not conducive to the public welfare.”

This amendment was lost by a vote of sixteen to fourteen; when the motion was put on Dibble's amendment, and it was adopted by a vote of twenty-eight to three.

Leffler moved to amend the report as follows:—

“No act of incorporation shall be submitted to the people until the same shall have been published at least twelve successive weeks in at least twelve of the weekly newspapers published in the state, provided that number of newspapers are published at the passage of such act; nor shall such publication be made until the parties applying for such act of incorporation shall have deposited with the state treasurer a sum sufficient to defray the expenses of such publication.”

Richman moved to amend the amendment by striking out the words "twelve of the weekly," and insert "six of the weekly," which was lost by a vote of twenty-seven to four; and Leffler's amendment was adopted by a vote of twenty-five to six.

Leffler moved a further amendment:—

"Corporations shall not be created in this state by special laws, except for political or municipal purposes; but the general assembly shall provide, by general laws, for the organization of all other corporations, except corporations with banking or discounting privileges, the creation of which has been provided for in the foregoing section. The stockholders shall be subject to such liabilities and restrictions as shall be provided for by law."

Richman moved to amend the amendment by adding, "except corporations for internal improvements." This amendment was lost by a vote of twenty-three to seven; when the vote was taken on Leffler's amendment and adopted by a vote of twenty-seven to three.

Henry P. Haun, of Clinton county, moved to amend the third section by striking out the word "legislature," and insert "general assembly shall," and by adding the following words at the end thereof: "except as provided in the foregoing sections;" which amendment was not adopted.

Joseph H. Hedrick, of Wapello county, moved to amend the second section by adding the following: "To double the amount of stock subscribed respectively, after the means of such incorporations are exhausted. Which amendment was adopted by a vote of fifteen to fourteen.

David Olmstead, of Clayton county, moved to amend the second section by adding thereto the following: "And no stockholder shall be relieved from his responsibility by transferring his stock in such corporation to another person." This was adopted by a vote of sixteen to thirteen.

At this point the further discussion of the article on incorporations was postponed for one day, during which time it called forth much discussion outside of the convention.

When this question was called up again, Bates moved to strike out all in the article on incorporations, and insert the following:—

“No corporate body shall hereafter be created, renewed, or extended with the privileges of making, issuing, or putting in circulation any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money.

“The general assembly of this state shall prohibit, by law, any person or persons, association, company, or corporation from exercising the privilege of banking, or creating paper to circulate as money.

“Corporations shall not be created, in this state, by special laws, except for political or municipal purposes; but the general assembly shall provide, by general laws, for the organizing of all other corporations, except corporations with banking privileges, the creation of which is prohibited.

“The stockholders shall be subject to such liabilities and restrictions as shall be provided by law.

“The state shall not, directly or indirectly, become a stockholder in any corporation.”

This motion was adopted by a vote of twenty-one to nine, all the whig members voting against it.

These provisions, inserted in the constitution, entirely prohibited banking. The provisions on corporations met with much opposition from the people, especially those on banking, and the opponents used the first and every opportunity they had to change the clause on banking, until the same was accomplished. Probably this constitution would have remained the supreme law of the state for many years, had it not been for this prohibition; for, instead of producing a sound metallic circulating medium for business, as was the design of those who favored it, the paper of banks whose solvency was doubtful at home, found its way to Iowa, and probably no state in the Union had in circulation a more worthless and irresponsible currency than was found here during the time of the entire prohibition of banks.

There was much opposition to the constitution, and its opponents thought it would be defeated; but there being a strong feeling in favor of a state government, many who were opposed to the provisions on incorporations voted in favor of it, claiming that these objections could easily be amended. At the August election there were polled eighteen thousand six hundred and eighty-five votes; of this vote there were only five hundred and seventy of a majority in favor of adopting the constitution. In the month of September, as soon as the vote was officially known, Governor Clark issued his proclamation for an election of state officers and members of the legislature, which was held on the twenty-sixth of the following October.

As the Territory was about to assume a state government, there was a great struggle among the politicians to secure for themselves the offices of the new government. Besides the officers to be elected by the people, there were two United States senators and three supreme judges to be elected by the legislature, and it became quite an object with the politicians of both parties to secure the legislature. The democrats and whigs both thoroughly organized their parties, held conventions, and made nominations for the several offices. The democrats nominated Ansel Briggs, of Jackson county, for governor; Elisha Cutler, of Van Buren county, for secretary; Joseph T. Sales, of Dubuque county, for auditor; Morgan Reno, of Johnson county, for treasurer. And the whigs nominated Thomas McKnight, of Dubuque county, for governor; James H. Coles, of Van Buren county, for secretary; Easton Morris, of Johnson county, for auditor; and E. T. Smith for treasurer.

This election was carried on with a great deal of spirit on both sides, but the democrats succeeded in electing all the state officers and a majority of the representatives in the senate, but were not so fortunate in electing members to the house. Jonathan McCarty had recently become a citizen of Lee county. He was an old politician, noted as a public speaker, and as having much tact in political matters. Me-

Carty had been a democratic representative in congress from Indiana for several years, but in the great political excitement of 1840 he abandoned the democratic party, and by the whigs of Indiana was placed at the head of their electoral ticket for General Harrison. The whig party in that state having fallen into the minority, and McCarty having lost his influence there with the democrats, moved to Iowa, and showed a disposition to accommodate himself to almost any political creed that would promote his individual interest. Lee county had generally given a large democratic majority; but there had been for several years much difficulty about the titles to a large tract of land in the southern part of that county, generally known as the "half-breed tract," and the settlers on these lands had carried their difficulties into politics, and voted for men who favored their interests, irrespective of politics. McCarty living on the disputed tract, had identified himself with the settlers, and succeeded in getting up a ticket for members of legislature of men friendly to the interests of the settlers — part of whom had previously acted with the democratic party and part with the whig party, and all of whom were disposed to cast their votes in the legislature in his favor for United States senator. This ticket was called, by their opponents, the "'possum (opossum) ticket," and being supported by nearly all of the votes on the half-breed tract, was elected; and these members of the legislature were generally designated as the "'possum members."

Lee county, at that time, was entitled to five members of the house and two senators. There being only thirty-nine members of the house and eighteen senators, the representatives from this county had great influence in the legislature. In Des Moines county the parties were very nearly equally divided, though the democrats had generally succeeded in carrying the elections, and at this election there was a great struggle for the ascendancy. This county had five members of the house and two senators, which made it quite an object with each party to carry the county, and unusual means were resorted to for success. The county was

polled by the whigs, and, as far as possible, the political views of each voter ascertained. This showed that the democrats had a majority of about thirty, and in order for the whigs to carry this county, they had, by some means, to overcome this majority. Fitz Henry Warren, who had been unfortunate in business in the east, for the purpose of retrieving his fortune, came west, located himself at Burlington, and had become quite an active politician — so much so that he was looked upon as the leader of the whigs in that county. Warren soon devised a plan by which enough democratic votes could be disposed of so as to give the whigs the majority. Warren was employed in a mercantile house which was engaged in the pork-packing business, and he managed to get about thirty democrats who made their living by day labor, to go out into the country, at different points, to drive in hogs for the firm with which he was connected, and promised them high wages for their services. These men, the day before election, not suspecting any trick, but feeling more desirous about making a few dollars for the support of their families than about voting at the election, went out to the several places assigned them, for the purpose of driving hogs. Here they were kindly received by those who understood matters, and were detained until it was too late for them to reach home in time to vote, when they were paid for their time and sent home. By depriving the democrats of this number of votes, the whigs carried the county and elected whigs to the legislature. The democratic politicians made a great ado about this manner of "swindling the dear people," while the whigs had their sport, and laughed about it as a good joke.

In Keokuk county the democrats had a large majority, but owing to a dispute about the county seat, the party was divided, and they had two candidates before the people for the legislature. Nelson King, who had previously been of rather doubtful character, professing himself to be a whig, became a candidate on his own responsibility, and, there being two democrats running against him, he received a plurality of the votes, and was declared elected.

The election of whigs in Des Moines and Keokuk counties made the parties so close that the representatives from Lee county held the balance of power, and could control the elections which were to be made by the legislature. The material of which this legislature was composed made it exceedingly doubtful which party would succeed in electing supreme judges and United States senators, and it became an object with politicians to bring inducements to bear on the members to influence their votes.

The legislature convened at Iowa City on the 30th of November, 1846, and the house was organized by electing Jesse B. Brown (an active whig), of Lee county, speaker, and the senate by electing Thomas Baker (a democrat), of Polk county, president of the senate. These elections indicated that the whigs, in joint convention, would have two majority. Under these circumstances, there were great efforts made to secure the vote of one or two of those who acted with the whigs in organizing the legislature to vote with the democrats in electing judges and senators, for one vote would make a tie and prevent an election, and two would enable the democrats to elect their men.

King, of Keokuk county, having been elected by a plurality vote over his two democratic opponents, and representing a county largely democratic, was thought, by some of the political managers, a proper subject to operate upon; and, as a first inducement, a paper was gotten up and circulated through his county, and signed by a majority of all the voters in the county, instructing him to vote for a democrat. This move being known by the whigs, and they fearing that King might be influenced by such instructions, caused them to watch him very closely and show him special attention; and for a while King commanded more attention from both parties than any other member of the legislature. Josiah Clifton and Reuben Conlee, of Lee county, also received great attention. Clifton and Conlee, previous to their election, professed to be democrats; but their votes in organizing the legislature, indicated that they were going to throw their influence for the benefit

of the whigs, and hence great efforts were made to retain them with the democrats.

S. T. Marshall, of Lee, having previously been well acquainted with King, as a citizen of his own county, and been employed by him as an attorney to defend him in a case in which he had been arrested, in his attempts to influence King in his votes, made a little too free with his old client while under the guardianship of the whig politicians.

On the afternoon of the ninth of December, the legislature then having been in session ten days, and the members thus far had almost entirely been engaged in canvassing and electioneering, as soon as the house was called to order, King, with a hurried step, approached the clerk's desk, and laid upon it a five dollar bill and two pieces of paper, and said he wished to make a statement. These movements surprised most of the members of the house, and not knowing what the conduct of King meant, from a curiosity to hear, unanimous consent was given for him to proceed, when he said, "That since he had presented his credentials and taken his seat as a member of this house, he had been approached by several different persons relative to the casting of his vote for United States senators; and that several distinct propositions of money and other rewards had been offered him if he would vote for Gen. Dodge for senator, or J. C. Hall, or either of them, as may or might be determined upon, which determination was to be made known to him (King), previous to the casting of his vote for United States senator; and that they would secure him from all blame or suspicion by procuring written instructions from his (King's) constituents, instructing him so to vote. And further, that S. T. Marshall gave him a five dollar note on the state bank of Ohio, on yesterday evening, and told him to call on him at any future time, and he would give him one hundred dollars, or any amount he wanted. And further, that said Marshall told him (King) that it was Dodge's money. He also gave him two receipts

of indebtedness,* in all of which proceedings he had acted under the advice and full knowledge of Mr. Goodrell, and others of his friends. And for the purpose of fully exposing the corruption and the determination to bribe members by men, who, while here, are employed for the purpose, and that other members of this house might be placed on their guard, and be prepared to act under the full knowledge of their designs, he made this statement."

Upon this statement of King, the house immediately appointed a committee of five, which was subsequently increased to seven, to investigate the charges of bribery, and authorized the speaker to issue his warrant for the arrest of Marshall.

On the next day Marshall appeared at the bar of the house, and the sergeant-at-arms was ordered to keep him in custody till further orders of the house. Marshall made a request of the house that he might be heard in his defence by his attorneys, James Grant and Frederick D. Mills, but this request was not granted. It was claimed inasmuch as the matter had been referred to a committee, they had nothing to do with the investigation. This committee was composed of W. C. Cochran, of Lee, Andrew Leech, of Davis, Samuel Whitmore, of Jefferson, Alfred Hebard, of Des Moines, Robert Smith, of Linn, Stuart Goodrell, of Washington, and John Z. Morton, of Henry county. The committee was composed of four whigs and three democrats. To conduct the case before the committee, Henry W. Starr was appointed counsel on the part of the state, and Grant and Mills for Marshall. James G. Edwards, editor of the *Hawkeye*, and A. H. Palmier, editor

*The following is a correct copy of the papers handed to the clerk by King at the time:

WEST POINT, NOVEMBER 26, 1846.

MR. NELSON KING.—Sir :—Please to pay S. T. Marshall or bearer, ten dollars and fifty cents on my account, and oblige

(Evidence.)

WILLIAM STOTTS.

Received Payment. S. T. MARSHALL.

DECEMBER, 1846.

I, S. T. Marshall, hereby release and relieve all my right, title and claim, or claims which I may have against Nelson King for legal services done heretofore and this shall be his receipt.

—S. T. MARSHALL

of the *Iowa Capital Reporter*, were appointed clerks to take down the testimony.

The committee continued their investigations till the third of February, before making a report. There was a large number of witnesses called before the committee, but none of them knew anything to implicate Marshall except King and Johnson C. Chapman; the latter had been chosen fireman. Chapman had made a written statement to John F. Sanford, a member of the senate from Van Buren county, soon after the meeting of the legislature, in which he said :

"I hereby certify that on Monday, December 2, 1846, I was authorized by Col. William Patterson, of Lee county, Iowa, to offer Josiah Clifton and Reuben Conlee, each, the use of one hundred dollars for ninety-nine years, if desired, without interest, if they would give their votes in an election then about to come on for United States senator, in the general assembly, for such a man or men as the said William Patterson would name for the office. Also, I was authorized by Col. Patterson and Silas Haight, to offer Josiah Clifton, individually, and on their part, and on the part of their associates, to enter into a bond of ten thousand dollars, if necessary, to secure him an appointment in the land office, as register, or receiver; providing he would vote for the men for the United States senate, whom they would name. The above named Conlee and Clifton are members of the house of representatives, of Iowa."

Although there were many witnesses examined, and some underwent lengthy and rigid examinations, the statements of King and Chapman contained the only direct evidence elicited by the committee. The other witnesses testified to nothing of importance except what they had learned from these two men, and they were of such doubtful character, that the whigs did not care about assuming the responsibility of taking any decisive measures on such testimony, and risk their popularity before the people.

Marshall, a few days after his arrest, was released on his parole, but remained at Iowa City, until the committee had

got through with their examination ; when he went home unmolested, and was never troubled afterwards.

The committee made their report, which consisted of only the testimony taken, without any recommendation, which was laid on the table, and this ended the whole affair.

During the progress of this examination, King had a personal difficulty with A. H. Palmer, one of the clerks of the committee. Palmer and his brother had recently purchased the office of the *Iowa Capital Reporter*, and were the publishers and editors of that paper. Palmer, in speaking of King, had published in his paper some very severe things, and among others, he had intimated that the offence for which Marshall had defended him, in Lee county, was for stealing bacon. This intimation aroused King's fighting propensities, so much so, that one day when Palmer was about leaving the committee room, not suspecting any danger, King followed him, and, just as he was about stepping out of the door, seized hold of him. King being a much stouter man than Palmer, overcame him, and was about to give him a severe beating. Palmer, after having received a few blows about the face, broke loose from King's grasp, so that he drew a pistol, and was in the act of shooting his adversary, when some of the bystanders interfered and separated them. This being the third editor of that paper who had got a whipping for things they had published, was a source of much amusement with the whigs, and in their bar room discussions it was held that a whipping was a necessary prerequisite, in order to qualify an editor to conduct that paper.

The excitement about bribing members of the legislature having subsided, they commenced to think about having an election for senators ; both parties thinking they could get enough of the 'possum vote to secure the election of their own partizan. After the exchanging of several messages between the house and senate as to the time, they finally agreed to go into joint convention on the eighteenth day of December. This agreement was consummated without there having been made any arrangement between the two houses for conduct-

ing the business of the convention. When the senators went into the representative hall, Baker, the presiding officer of the senate, who was an unassuming man, had held several territorial offices, and had accustomed himself to be polite to everybody, walked up to the stand for the purpose of taking the chair, to preside over the joint convention, Brown, who had been a military man and accustomed to give command, already being in the chair, sternly refused to give it up. It being quite an object with each party to have the presiding officer, the difference in opinion as to who was the proper officer to preside over the joint convention, called forth much feeling and a spirited debate. Brown having possession of the chair, and being sustained by the whigs, retained his position, and he and the clerk of the house acted as the officers of the joint convention.

When this question was decided, Thomas H. Benton, of Dubuque, and G. W. Bowie, of Des Moines county, were appointed tellers, and the call of the roll commenced. The hall, though crowded with spectators, was as still as death, and the most intense anxiety was depicted in the countenance of each individual. The members of the convention and those in the lobby, all being anxious to learn how each man voted, were held in breathless silence, and nothing disturbed the quiet but the calling of the roll by the clerk, and the response of the members. As soon as the vote was over, it was announced that Jonathan McCarty had received twenty-nine votes, Thomas Wilson twenty-eight votes, and G. C. R. Mitchell, one; that there was no choice, and that the convention would proceed to another ballot.

By this time the stillness of the room had changed into a perfect bedlam of confusion, some laughing, some mad and cursing, some hallooing at the top of their voices — "Mr. Speaker" — and others trying to effect a compromise, by which they could elect one whig and one democratic senator.

Owing to the confusion, it was a long time before the speaker could entertain any motion, or proceed with the business of the convention. At this ballot all the whigs and 'possums

voted for McCarty, except Samuel Fullenwider, a senator from Des Moines county, who, by casting his vote for Mitchell, defeated McCarty's election. This course was supposed to be a preconcerted arrangement, and well understood by a part if not all of the whigs, to show that they could elect McCarty, who was very odious to the democrats, with a view of effecting a compromise, by which a thoroughgoing whig and a true democrat should be elected senators; but the democrats refused to make any compromise.

On the part of the democrats, an adjournment was immediately moved. On this motion, twenty-eight voted in the affirmative, and thirty in the negative. This motion, in different shapes was repeated by the democrats six times, without there being any opportunity for any other business, and during these votes there was the greatest confusion and tumult.

On the sixth vote, Clifton and Conlee, thinking that the whigs were about to drop McCarty, their favorite candidate, voted with the democrats on the motion to adjourn till the fifth of January, and thus closed the session of the joint convention.

On the 19th of December, the legislature adjourned till the 5th of January. The members doubtless being desirous of consulting with their constituents as to the proper course for them to pursue in relation to the election. During this adjournment, Conlee was taken sick and died, so the whigs could now expect only one majority on joint ballot.

On the fifth of January, the day set for the joint convention, the house appointed a committee of two to act with a like committee on the part of the senate, to prepare rules for the government of the joint convention. The senate referred this proposition of the house to a special committee, with instructions to report at some future day. At two o'clock in the afternoon, the house informed the senate that they were ready to receive them in joint convention for the election of senators. The senate upon receiving this message, adjourned, and the democratic members immediately dispersed, so that all prospects of an election on that day vanished.

At the commencement of the session, the democrats, in caucus, had agreed to support Augustus C. Dodge and Thomas Wilson for senators. Jacob Huner, a senator from Lee county, professed to be a democrat, but was opposed to the election of Dodge. At the commencement of the session he had indicated his willingness to vote with the democrats, if they would drop Dodge and take up some other man, but at that time the leading politicians refused to do it, and Huner voted with the whigs.

After the session of the joint convention, the democrats held another caucus and withdrew Dodge's name, and took up Verplank Van Antwerp. But the leaders not yielding to Huner's wishes at the commencement of the session, he in turn became obstinate, and refused to vote for any democrat, unless they would vote for him for senator. The democrats, not feeling disposed to vote for Huner, and seeing no chance for electing any other person of their party, resolved not to hold an election, if they could prevent it. There were several efforts on the part of the house, and the whigs of the senate to elect supreme judges and senators, but the democrats of the senate voted against going into joint convention, and having a majority in that body, the legislature, after sitting till the 25th of February, adjourned without electing either judges or senators, and Iowa, for the first two years after organizing a state government, was not represented in the United States senate.

[TO BE CONTINUED.]

THE FIRST DEMOCRATIC LEGISLATIVE CAUCUS IN THE STATE OF IOWA.

COUNCIL BLUFFS, IOWA, JULY 31st, 1871.

EDITOR OF THE ANNALS OF IOWA:— It may be interesting to some of your readers to read the proceedings of the democratic caucus at which the first senators of the United States

from the state of Iowa were put in nomination. I believe it was not the practice of either party at that time, to publish the proceedings of their political caucuses; but at this late day, I suppose, I will hardly be charged with a breach of confidence if I make public the proceedings had in caucus of the then dominant party, both in the state and the Union, inasmuch as it goes to show who were the prominent men of our state a quarter of a century ago. In order to a full understanding of the subject, it may be proper to give the names of the members of each house of the general assembly; which are as follows — democrats, in roman; whigs, in italics:

SENATE. — Thomas S. Espy, *James Sprott*, *George G. Wright*, John J. Selman, Barney Royston, P. M. Casady, *Milton D. Browning*, Alfred S. Fear, *Evan Jay*, John Howell, *Francis Springer*, R. R. Harbour, *Loring Wheeler*, *John P. Cook*, P. B. Bradley, Theophilus Crawford, John G. Shields, and Freeman Alger.

HOUSE. — W. C. Read, C. J. McFarland, Michael H. Walker, Samuel Norton, Isaac W. Griffith, John Alexander, Willard Elmer, *W. W. McMannaman*, *Abner H. McCrary*, Reuben Riggs, Joseph H. Flint, *William M. Allison*, Lysander W. Babbitt, Manly Gifford, Thomas L. Sargeant, J. L. Corse, John Penny, George Davidson, *Hugh R. Thompson*, *Mark Burroughs*, *Samuel D. Woodworth*, George Weyand, William Baker, Andrew Collins, Joseph F. Harrison, *Wright Williams*, *Stewart Goodrell* William Jacobs, Smiley H. Bonham, John D. Evans, James D. Bourne, Jeremiah C. Betts, *Abraham Timmons*, Dennis A. Mohony, Nathan G. Sales, James Langton, Mr. Wood, and Mr. Stephenson.

Of the members of the Senate, *M. D. Browning* and *John P. Cook*, who were then whigs, are now acting and voting with the democratic party, and *John J. Selman* was at last accounts a fierce republican. The democratic members of the house now living are still democrats, and the whig members are republicans.

Of the members of the senate, GEORGE G. WRIGHT has since been elected one of the supreme judges of the state, and is

now one of the United States senators from this state. M. D. BROWNING, has occupied the position of United States district attorney for the state of Iowa. FRANCIS D. SPRINGER, and P. M. CASADY, have each held the office of district judge, Mr. Casady has held the office of receiver of the United States land office, and J. P. COOK has been elected a member of congress.

Of the members of the house, C. J. McFARLAND, has held the office of district judge, and J. W. GRIFFITH, L. W. BABBITT, N. G. SALES, and STEWART GOODRELL have each held the office of register or receiver in the United States land office. This much, Mr. Editor, as a preface. Now for the proceedings of the caucus.

"At a meeting of the democratic members of the general assembly held in the hall of the house of representatives, Tuesday evening, December 5th 1848, on motion of C. J. McFarland, of Lee county, Joseph H. Flint, of Wapello county, was called to the chair, and on motion of J. L. Corse, of Des Moines county, Lysander W. Babbitt, of Marion county, was elected secretary.

On motion, George Williams was appointed sergeant at arms.

On motion of J. W. Griffith, of Lee county, all persons not democratic members of the senate or house, were requested to leave the hall. On motion of J. L. Corse, of Des Moines, the roll was called, and the following gentlemen answered to the call:

SENATE.—Selman, Harbour, Casady, Fear, Crawford, Shields, Bradley, Howell, Alger, Espy, Royston.

HOUSE.—Alexander, Babbitt, Baker, Betts, Bonham, Collins, Corse, Davidson, Elmer, Evans, Flint, Gifford, Griffith, Jacobs, Langton, Harrison, Mahony, McFarland, Norton, Penny, Read, Riggs, Sales, Sargeant, Walker, Weyand, Wood.

Mr. Mahony moved that the caucus now proceed to vote for candidates for United States senators. Upon which motion the yeas and nays were ordered, and were as follows:

YEAS.—Alexander, Babbitt, Baker, Corse, Davidson, Elmer, Flint, Gifford, Griffith, Jacobs, Mahony, Norton, Penny,

Read, Riggs, Sargeant, Walker, Harbour, Casady, Fear, Howell, and Royston. — 22.

NAYS. — Betts, Bonham, Collins, Evans, Harrison, Langton, McFarland, Sales, Weyand, Wood, Selman, Shields, Bradley, Espy, Crawford, and Alger. — 16.

The motion of Mr. Mahony having prevailed, Mr. Bradley moved that the vote taken for senators be an informal vote. Mr. Mahony moved to amend by adding "and if any person voted for has a majority of all the votes cast, he be declared duly nominated."

The question being taken on Mr. Mahony's amendment, the amendment was lost. The question on Mr. Bradley's motion was carried in the affirmative.

The caucus then proceeded to an informal ballot, Messrs. Bonham and Harrison acting as tellers, which resulted as follows:

Augustus C. Dodge.....	38
V. P. Van Antwerp.....	4
George W. Jones.....	11
Stephen Hempstead.....	7
——— Smith.....	2
Joseph Williams.....	1
P. B. Bradley.....	2
Thomas F. Wilson.....	10
Charles Mason.....	1

Whereupon, on motion of C. J. McFarland, Augustus C. Dodge was nominated by acclamation.

Mr. Bradley moved that the caucus take a recess for fifteen minutes, and that the members from the north meet together for consultation, which motion was lost.

Mr. Harbour moved that the caucus proceed to a formal ballot for a second candidate for United States senator; which motion prevailed. The vote being taken resulted as follows:

Wilson.....	11
Jones.....	14
Hempstead.....	8
Van Antwerp.....	4
Mason.....	1

There being no choice, on motion of Mr. Selman, the caucus proceeded to a third ballot, with the following result:

Jones	15
Wilson	12
Hempstead	9
Van Antwerp	1
Mason	1

The caucus having failed to make a choice, on motion of J. W. Griffith a fourth ballot was had with the result following, the names of all candidates but Jones and Wilson, being withdrawn:

Jones	28
Wilson	10

On motion of Mr. Bradley, George W. Jones was nominated by acclamation.

On motion of Mr. Bradley, the caucus adjourned until tomorrow (Wednesday) evening, to meet at 7 o'clock, for the purpose of nominating candidates for Judges of the supreme court.

JOSEPH H. FLINT, *Chairman*.

L. W. BABBITT, *Secretary*.

[TO BE CONTINUED.]

THE IMPORTANCE OF THE MISSISSIPPI RIVER TO THE STATE OF IOWA AND THE NORTH-WEST.

BY J. E. GRIFFITH, C. E. IN CHARGE OF LOCK AND STONE WORK,
DES MOINES RAPIDS CANAL, KEOKUK, IOWA.

Situated as the state of Iowa is, geographically considered, it is an inland state, but commercially it is most assuredly not so; or at least it should not be. It lies between the Mississippi and Missouri rivers which, combined, constitute the largest navigable stream in the world. It does not require a very sagacious mind to comprehend the design of the Archi-

fect of the Universe in extending to the interior and through the heart of the greatest agricultural country in the world, rich in soil and mineral wealth, abundant in intelligence and enterprise, the most beautiful river, the "Father of Waters," coursing its way from the cold mountain peaks of the north-west through a country now abounding in peace, freedom and unity, to the sea. As a grand artery beating its way to the ocean, the heart of waters, it should throb with the life of the great north-west, and convey to the world the knowledge that, as long as its waters would tend to the grand reservoir — the Atlantic, so also would the Mississippi valley continue to prosper and thrive. It is said that the Mississippi river is a stream not commensurate with its apparent magnitude. Not so: it is true that there are obstructions at certain points whereby uninterrupted communication cannot be offered to the shippers and producers of Iowa with the sea; but these obstructions can and will be removed, provided the people of Iowa and other states of the Mississippi valley take an interest in the project and insist that their rights to a portion of the great improvement expenditures, be asserted. It is the duty of the representatives of this great state to *truly* represent the wants and wishes of their constituents, and demand with proper means, the disbursement of a goodly portion of the revenues of this country for the thorough and unimpeded improvement of the Mississippi river, so that we can ship our grain from Dubuque, Davenport, Muscatine, Burlington, and Keokuk direct to Europe, Brazil, and other foreign parts, without being subjected to the monopolizing influence of railroads, which have been, so far in the history of our state, corporation lotteries, whereby a few have prospered at the expense of the many. Although an increase of railroads will, in time, undoubtedly decrease the rates of tariff which we are compelled to pay in order to find a suitable market for the immense products of our fertile soil, and the industry of our population, still we will never attain the end which we deserve, until we fully take advantage of this grand avenue which the Almighty has caused to course on our very

borders. Surplus produce needs a market wherein we can compete with other states. Water lines of communication when properly managed have ever been of immense value to the countries which they drain. Canals have been constructed through portions of other states in order to afford outlets for cereals, live stock, and other sources of revenue. But we have a natural canal of great magnitude, an ocean in itself, whereby with a small amount of expenditure in improvements, our state can save millions in treasure. The only obstructions to the free navigation of the Mississippi are at Davenport and Keokuk. These can be overcome in two or three years. Already the channel improvements at the first named place are rapidly approaching completion, and in less than three years a heavily laden craft from the upper Mississippi can deposit its cargo safely in New Orleans or Mobile. To obviate the dangers of the delta of the Mississippi, a canal is being constructed from a point ten miles below New Orleans to the sound, west of Mobile, shortening the distance to the sea, and doing away with the risk which our valley has refused to assume in shipment of produce. At Keokuk, the Des Moines rapids are being flanked by means of a ship canal with three locks. At Rock Island a channel two hundred feet wide with five feet of water in lowest water known, is being excavated across the various chains or rapids which have been the terror of steamboatmen. The sandbars and snags of the river at various points are being cleaned out by artificial means. In other words, a few far-seeing minds have taken an interest in the improvement of the Father of Waters, and are working with herculean efforts to throw at our very doors the means of saving our moneys and benefiting our and other states. But the 1,200,000 population of Iowa should grasp the importance of this project. Let us now see what profit we will have in making the Mississippi river *our* channel of communication with the rest of the world. Let us see what we can effect, and how we can do away with the terrible railroad monopolies which have been the only drawbacks to the progress of our state. It is useless to suppose

that ALL are not interested in this matter, and it will be well worth the while for each and every thinking man of Iowa to study the matter thoroughly and lend his assistance in the prosecution of all the improvement plans. It is but a few years since the people of Iowa saw fit to consider the importance of the removal of rebel obstructions on the banks of the lower Mississippi. When Belmont, Columbus, Fort Pillow, Memphis, Vicksburg, and Port Hudson were placed in defiance of the rights of the northwest, of the free navigation of its waters, every man expressed his indignation by offering life, limb, or treasure in removing, by force of arms, the blockades. Since that successful opening of the river and removal of artificial obstructions, all seem to forget that a campaign is necessary for the removal of natural obstructions. Our state is in the era of enormous agricultural productions — surpassing the wildest estimate ever made by enthusiast. Our population is increasing at a wonderful rate. With the grand future now opening, with the prestige and renown of our noble state, with our fertile soil and salubrious climate, Iowa has before her a most magnificent destiny if it be not marred by folly and grasping avarice; nature has never spread a fairer and nobler field for the enterprising genius of human liberty than the great prairies of Iowa. Let the masses of the people therefore comprehend, accept, and vindicate their great destiny.

There is one proposition we can start with, and that is, that our productions here in Iowa exceed the capacity of transportation, and that enlarged water facilities must be had to the east in order to protect our producing classes from being robbed of the fruits of their earnings by the existing lines of communication. The present railroads and canals being wholly inadequate to transport our products, the people have to submit to any rates of freight that avarice and cupidity may demand. All the losses consequent upon the delays and irregularities attending this transportation of our products which flow from this state of things fall upon our producers. Our farmers must have other outlets for their products, and

at the earliest practicable moment too. Railroads have been constructed throughout the length and breadth of our state. The people expected to receive greater benefits thereby. True, they have realized some, but not in such quantity as would be commensurate with the assistance rendered by them to these companies. The whole railroad system of this state has now become a vast and terrible monopoly, hitherto unknown, and undreamed of in a free country. The people have been appalled by the impudence and boldness with which these merciless corporations have, without reason, excuse, or explanation advanced prices, and their just indignation is everywhere finding vent. It is a matter which comes home to every farmer, and finds its way to the firesides of all the cottages which dot our vast prairies. Are the hard earnings of the farmer, moistened with the sweat of his brow, to go into the already overgorged pockets of bloated and mammoth monopolies, or shall he be graciously permitted to have some of the fruits of his toil left to support his family, to support schools and educate his children, to improve his farm, to enlarge and beautify his home and enable him to occupy what should be the proud position of an Iowa farmer? These are questions that are coming home to the fireside of all the farmers. It may be said that the combined power and wealth of all these corporations are strong and overwhelming; that, by their constant efforts, acting in concert, and hedging up the avenues to public opinion by silencing the press, they will divide and distract, and finally defeat us. Admitting their power, managed by the best minds in the country, controlled by men of intellect and sagacity, backed up by untold wealth, the man who does not see in the future a terrific struggle between the oppressed and oppressor, is "neither a prophet nor the son of a prophet." By looking at the Mississippi river and thinking of the incalculable value of its broad expanse of water, the solution of the problem can be obtained. It is now known that the great drawback to the navigation of that river consists in the Rock Island and Des Moines Rapids. These obstructions interfere with the free navigation of the river to

an extent little known and but lightly appreciated. They are a tax of millions upon millions of dollars annually upon the people of the Mississippi valley, who live above them. With the rapids "cleaned out," the fabulous amounts of grain raised in western and northwestern Illinois, western Wisconsin, in Iowa and Minnesota, would find a market by the way of the Mississippi river and new Orleans, instead of by the lakes and canals, unless the prices of freight by this last named route should be reduced so that grain could go as cheap that way as by the river. In such a case, the farmers every where would have the benefit of the reduction of rates forced by the Mississippi competition. With the rapids improved, so that they would no longer be an impediment to the river navigation, there is no doubt in the minds of practical men who have thoroughly investigated the subject, that grain and flour can be taken to the seaboard market in the east vastly cheaper than present rates by the lakes and canals. With good navigation, with elevators and other facilities for moving grain at St. Louis and New Orleans, with new and competing lines of transportation, wheat can be transported from the upper Mississippi to New York for thirty-five cents per bushel, while to-day it costs sixty cents or more per bushel to send it by way of Chicago and Buffalo. This is a saving to the producer of twenty-five cents per bushel in favor of the river route to market. The idea that wheat and corn will not bear transportation through the heats of the gulf stream is not well founded. With the regular and swift lines of propellers from New Orleans to the eastern cities, the transit of the products of the valley of the Mississippi would be quick and certain.

When we figure the vast amount of wheat raised in the states I have mentioned, which would find its way to the market by the river, were it unobstructed, we can readily see the millions of dollars which would be saved to the people of that section every year, counting the saving at twenty-five, twenty, or even fifteen cents per bushel. Remove these obstructions, and our producers will then have a convenient and adequate outlet to the markets on our own seaboard and of Europe.

They can market their grain in London and Liverpool, be successful competitors of European producers on their own soil, and eventually control the price of breadstuffs in the very center of the world's trade. In Europe land is scarce and rent ruinously high; the consequence is, that our farmers, who have cheap lands and mechanical labor can produce grain with profit, at figures that would ruin the European farmer. The only obstacle that prevents western producers from underselling and, by successful competition, driving foreign producers from their own market, is the want of cheap transportation. For the past five years the average price per bushel of wheat in London and Liverpool has been \$1.37 in gold, or \$1.90 of our own currency. The English farmers cannot produce it at a less cost with any profit. The land is mostly held by the nobility, who exact as rental therefor forty per cent. of the productions. Improve these rapids, and grain can be sent from Iowa to New Orleans for twenty cents, and thence to Liverpool for seventeen cents, including cost of trans-shipment; thus netting our farmers at least one dollar and fifty cents per bushel, and giving them the power to undersell the English farmer in his own market, and eventually compel him to seek other pursuits.

Nor is it unreasonable to suppose that three-fifths of the grain and flour of these states would choose the river route; because with uninterrupted navigation, grain will find a better market on the Mississippi than on the lake, and farmers in the eastern parts of Illinois and Wisconsin will find it to their interest to look westward to the new market thus established.

It is objected that wheat cannot be shipped through the gulf without injury. The fact is that the United States exports wheat and flour to Portugal, Brazil and Australia; and England imports largely from Turkey and Egypt. Yet all this commerce is across the tropics, through a climate subject to the influences which prevail in the gulf; besides, thirty years ago, before railroad connections between the east and the west, the surplus wheat of the Ohio valley was sent by flat-boats to New Orleans, and thence by vessel to New York; in

this way New Orleans came to enjoy a large export trade in produce. If wheat would bear shipment by that route then, will it not bear shipment by that route now? But it is a noticeable fact that this fear of wheat or flour spoiling in the gulf is of eastern origin; it comes through Chicago. It is an old story — much harped upon by enemies of river navigation that the Mississippi can *not* be so improved that it will have the capacity to compete with railroads. Not so; the improvements now going on will be satisfactory; all who see them believe so. The strongest river men, began, at one time, to think that they must learn pastoral life, and resign themselves to their fate, and allow the river to dwindle to insignificance. The aspect of affairs is now changed, and we promise to follow with our commerce our great river to the gulf.

Before the war, St. Louis did not export a single bushel of grain southward, in bulk, and as a consequence the market was easily glutted. Now, all is changed. One elevator of 1,250,000 bushels capacity at St. Louis, lines of boats and barges for cheap transportation south, floating elevators at New Orleans, and vessels towing this freight to all the world, make a picture calculated to gladden the hearts of the farmers of Iowa. The *promise* is that grain will go to Liverpool for thirty cents per bushel. Let improvements continue; let this commerce increase; let these rapids be improved; let 100,000,000 bushels be exported by way of this river, and the price here will be better one day and year with another, than it is in Chicago. Then will Iowa farmers be in as good a situation as Illinois farmers — nay, Illinois farmers will desire to change with us, even.

Chicago papers tell us sagely that we must address ourselves to raising stock; that we are too far off to raise corn, barley, and wheat for export. We tell Chicago — and we love and honor Chicago — her enterprise, her intelligence, her activity, and thrift we admire; she is a wonder, an American wonder; — but we tell her not to put on airs to her sister state. Iowa must have a state policy. We must magnify our rivers and their commerce. We must improve the good gifts that our

Father has given us ; we must have a policy. Our railroads must be operated as *Iowa* railroads, and they must not discriminate against the Mississippi as a channel of commerce. Let Illinois thrive. Let Chicago rise — we care not how high, but not by appropriating the fruit of our toil. Let her look out for Chicago, we will try to look out for Iowa. This state policy will, in the long run, be the best for all Iowa railroads. Let our farmers have cheap transit to the river, and the railroads across our state will be busy in carrying freight to the river. But if they insist in discriminating against the Mississippi, and forcing freight to Chicago, then soon the north and south roads will head them off by their routes to St. Louis, and their Chicago freights are gone.

During the coming winter let it be the main object of Iowa's representatives, as well as those of other states of the Mississippi valley, to obtain an appropriation that will quickly complete all these improvements. The sum appropriated last winter was so meager that work was stopped on August 1st, when there remained four of the best working months of the year. All this because there were no moneys. Compare the amounts appropriated annually for the improvement of harbors on sea and lake coasts, where the tonnage and shipments are slight, with the paltry sums given for the thousands of miles of our river coast, with its millions of tonnage and a billion of capital. Is it just ? Is it our proportion of the national treasure ? Most assuredly not. Let our press agitate the matter ; let our foremost men proclaim it in the halls of legislation, and in a short time the country at large will see that the great northwest is alive to its interests, and will have its rights. The consequence will finally be that the agricultural interests of Iowa and other western states will, in due time, become as advantageous, pecuniarily, as the commercial and manufacturing interests of the states of the east are to them.

OLD SOLDIERS.

[Although the following is not strictly connected with Iowa history, we cheerfully give it a place in the ANNALS, hoping it may stimulate some one to collect, for publication in these pages, the names and military records of those who have a home in Iowa, of that gallant little band, so long neglected by the Government, and now so fast disappearing from among us — the surviving soldiers of the war of 1812.]

BY F. SNYDER, MARYSVILLE, NODAWAY CO., MO.

As a matter of general interest, I present the readers of the ANNALS with a brief sketch of all the old soldiers now residing in Nodaway county, Missouri, as far as I have been able to ascertain any facts concerning their history :

James Guthrie, aged seventy-seven years, was a volunteer in Col. Richard M. Johnson's regiment of Kentucky mounted riflemen. He enlisted at Harrodsburg, Ky., and served upwards of six months. He was present at the battle of the Thames, October 5th, 1813.

Peter Moe, aged eighty-five years, served under Captain Morehouse, in Col. Peter Allen's regiment. He was at the battle of Queenstown, October 11th and 13th, 1812, in Col. Van Rensselaer's brigade. He was also at Lundy's Lane and Buffalo.

James Hanna, aged seventy-seven years, was a member of Capt. Andy Burns's company, in Col. Richard Shanklin's regiment. He enlisted at Union, Va., in 1814, and was discharged at the same place, January, 1815.

William B. Jones was a private in Captain William Jones's company, and in Colonel Jones's regiment Virginia militia. His age is seventy-five.

William D. Chilton (sometimes written Shelton), aged ninety years, enlisted at Edwardsville, Illinois, in 1813, in Captain Samuel Whiteside's company and Colonel William Russell's regiment. He was at a battle at Rock Island.

William Corken, aged seventy-nine years, enlisted in Ross county, Ohio, October 1, 1812, in Captain James Kilgore's

company — a company of horsemen attached to General Tupper's brigade.

William Jones was drafted in Ross county, Ohio, and started towards the front with his gun upon his shoulder, but hired a substitute on the way at \$20 per month, whereupon he returned home, as did also his substitute at the end of nine days thereafter.

Edgcome Slaughter was also in the war of 1812.

Ira B. Jobe was a private in Captain E. Duman's company (formerly commanded by Captain J. W. Stephenson), in a regiment of Illinois mounted riflemen, in the Blackhawk war. Mr. Jobe was badly wounded at the battle of Bad Axe, and at Wadam's Grove, Stephenson county, Illinois, and has drawn a pension since July 10, 1851.

George J. Smith, aged fifty-nine years, was a soldier in the Mexican war, and also in the war of the Great Rebellion. In the latter war he was a member of company H of the twenty-seventh Ohio infantry, and also a member of company D of the Veteran Reserve Corps.

NOTES ON THE HISTORY OF POTTAWATTAMIE COUNTY.

BY D. C. BLOOMER, COUNCIL BLUFFS.

No. 2.

(Continued from page 533.)

Long before the Mormon rule in western Iowa had passed away, quite a number of "Gentiles" — a term applied to all persons who were not members of the Church of Latter-Day Saints — had been attracted to the locality for the purpose of trade with the people who made their temporary resting-place on either side of the Missouri. Mr. Donnell first opened a small store at Winter Quarters, on the west side of the Missouri, in the fall of 1847 or early part of 1848, and to that

place, in February of the latter year, came Mr. Jonathan B' Stutsman, to take charge of the business. He made the journey from St. Joseph on horseback, and he informs the writer that there was, at that time, but one house of any description between the south-west corner of the state and Winter Quarters. Mr. Stutsman remained at Winter Quarters, in charge of the business, until June, 1848, when the store was removed to the Iowa side of the river, at a point near the head of what was then known as Miller's Hollow. The business was here re-opened, under the well-known firm name of Stutsman & Donnell, in a small log building, and continued at the same place for a number of years. Just about the same time the Mormons also abandoned Winter Quarters, and generally took up their residence in the vicinity of Miller's Hollow, and also rapidly spread themselves over the surrounding country; but the point above named, afterwards known as Kanesville, and finally as Council Bluffs, continued to be the center of operations. Mr. Stutsman was, in fact, the first Gentile who settled among them. He soon after married, and is a resident of the place at the present time, and is still engaged in mercantile business. He built the first frame store house, and also the first frame dwelling house, erected within the present limits of the city of Council Bluffs. Being of a genial and accommodating disposition, he has always had hosts of friends, and is known far and wide among the early settlers.

The next new Gentile settler was Mr. Cornelius Voorhis, also still living in Council Bluffs. He arrived at Miller's Hollow on the 17th of August, 1848, and, in partnership with Eddy, Jamison, & Co., of St. Louis, opened a small store near the corner around which the future city was to grow. The building first occupied by him was on the south side of the street or road, but he soon erected a large log building on the opposite side and a little farther east, into which he removed in the fall of 1848, and which continued to be his place of business for a number of years, having only been removed within a year or two. Mr. Voorhis describes his residence here during the fall of 1848 and succeeding winter as

dreary enough, and he says that if the opportunity had offered he should have left the place, but there was little communication with the outside world, and he therefore remained, with his wife, waiting for better times to turn up.

Of course the followers of Joseph Smith enjoyed the situation well enough. They were far away from their Gentile persecutors, and had no fear of Missouri regulators or Illinois mobs; but for Gentiles who did not subscribe to their faith the prospect was dreary. But still these remote people had votes, or were supposed to have, and in the fall of 1848 they were visited by political missionaries, under whose manipulations their votes were cast for a whig candidate for congress. This vote, however, did not help him to a seat, for the poll books were stolen on their way to the place where they were to be canvassed. For president, the vote of Pottawattamie county in 1848 is given in the *Tribune Almanac* as 527 for Taylor and 42 for Cass, but it is added in a note that "Pottawattamie, where the Mormons reside," was not counted. For the part Orson Hyde and A. W. Babbitt took in these and other elections, the former acting generally with the whigs and the latter being a democrat, both were summoned to answer before the church at Salt Lake City. They responded to the summons. Hyde confessed his misdoings and asked forgiveness, which was granted, and he was therefore rebaptized and taken back into the church in full fellowship, and remained in it until his death. Babbitt, on the other hand, refused to admit that he had done anything wrong, and was therefore cut off from the church and never re-admitted to full fellowship, but remained on the outskirts, holding offices in Utah territory from the general government, and finally lost his life, in 1856, at the hands of the Indians, while on his way from the Missouri river with a valuable train for Salt Lake.

The next Gentile who took up his residence in Miller's Hollow was William B. Ferguson, of St. Louis. He engaged in trade with a Mormon named Needham, who subsequently removed to Salt Lake, while Ferguson returned to his former place of residence.

William R. Powers, whose wife was a Mormon, claims to have built the first house in Miller's Hollow, in 1847, and he still resides on the same spot where it was erected.

The sons of Davis Hardin, the original agent of the Pottawattamie Indians, continued to reside on the high bottom land, at or near a place marked on the old maps as Council Point, and the lands they then farmed still produce abundant crops of corn and wheat, although in continuous cultivation for nearly thirty years. Generally, however, the Gentiles did not trouble the Mormon settlements in 1848 and 1849 to any considerable extent.

The name of the place was changed to Kanesville, in honor of Thomas M. Kane, who had visited the place at an early day. During these years the church took cognizance of all offenses, and the severest punishment that could befall any one was to be cut off from fellowship. Life and property were secure, and no intoxicating drinks were sold or drunk at the settlements. The people spread themselves over the surrounding country, and quite a considerable settlement was located on Pigeon creek, in the northern part of the county, and another on the Nishnabotany, in the southeastern part of the county, where a mill was built by Peter Haas and — Weymeyer, and the place was afterwards known as Macedonia. In the northeastern part of the county another settlement was commenced, in and around Lewin's Grove. The first settlers here were Captain Joshua Headlee, William Henderson, and John Kritzinger, the latter of whom built a mill. Henderson settled in the midst of the timber, and proceeded to clear off a farm in regular Indiana style. On being asked, subsequently, why in the world he should do this, when he was surrounded by such beautiful prairies, he replied that he had always been accustomed to live in a timber country, and, by the grace of God, he intended to die in the midst of timber.

Eastward about one and a half miles from the line of bluffs at Kanesville quite a settlement was early made, along the valley of the Musketo, a stream crossing the county diagonally and entering the Missouri river near its southwestern corner.

Here Wick's old Indian mill was situated, and William Garner, Ezra Scofield, Simon Graybill, Alexander Follett, and Alexander Marshall preferred to remain, after the Church of Latter-Day Saints removed to the mountains. Others, from among the Gentiles, also settled in the same valley during the years 1852, 1853, and 1854, and it has been for many years one of the finest farming portions of the county. It is now traversed through its entire length by the Chicago, Rock Island, & Pacific Railroad. Deer were formerly very abundant along the Musketo, and venison, during the winter season, was furnished to the inhabitants in large quantities and at low prices.

During the year 1849 the emigration to Oregon and California across the plains commenced. A large proportion of these moving caravans crossed the river at Kanessville, and moved westward along the road so frequently followed by the Mormons on their way to and from Salt Lake City. The journey from the Mississippi to the banks of the Sacramento was a slow and toilsome one, and occupied from three to four months, but, urged on by the desire for gold and the prospect of rapidly acquiring wealth, the emigrants toiled on their way without complaint or murmuring. The journey was made in wagons of all sizes, drawn by horses, mules, and oxen, and the emigrants were composed almost entirely of young and adventurous men, drawn toward the Pacific by the famous gold mines just then opened on and near its shores. They stopped on their way in the Mormon city, and occasionally one of them tarried behind and made it his home. But the great emigration fairly began in 1850, when the whole country was covered with the vast caravans that moved slowly onward. Of course the facilities for trade and money-making multiplied, and the number of Gentiles began sensibly to increase on the streets of Kanessville. Saloons and gambling houses were opened during that and the following year, and courts for the enforcement of the laws began to be talked about. This summer, 1850, Joseph Tootle came up from St. Joseph and established an outfitting house, which was con-

tinued for a number of years, and was known throughout the country as the "Elephant Store." J. A. Jackson, so well known by all business men in the early history of this region, took charge of the business in 1851 — first as clerk and afterwards as partner, and thus was formed the firm of Teotle & Jackson, long one of the most prompt and enterprising in the entire western country.

Just about the same time — that is, 1850 — W. D. Turner, afterward treasurer of the county in 1853, S. H. Riddle, and J. L. Forman came to the county and connected themselves with trade in some form in Kanesville. Two or three steamboats came up from below and remained during the summer to ferry the emigrants across the river, often charging as high as ten dollars for transferring a single wagon and team from one bank to the other.

Dr. B. Y. Shelly commenced practice as a physician in Kanesville in 1850, and in the fall of that year S. E. Williams then a medical student, first arrived in the place. He was followed in 1851 by Dr. P. J. McMahon, who, in connection with Dr. Williams, at once secured an extensive practice and opened a drug store, the first in the village. B. R. Pegram arrived here this summer and commenced selling goods, in connection with a firm in St. Louis. A. S. Bryant also first settled in the county this year.

Trading in claims was a business in which all more or less engaged, and some very valuable locations were purchased from the Mormons about leaving for Salt Lake. This year (1850) the county of Pottawattamie, which had heretofore formed a part of Monroe county, was organized — all the officers being Mormons, as stated in the previous number of these notes.

The Robinson brothers, four in number, arrived at Kanesville in 1851, and soon began to be heard of among the population, although all were Gentiles. G. A. Robinson was appointed prosecuting attorney in the spring of 1853, and was elected to the same office in the fall, and for a time acted as county judge, after Burdick had left.

In 1852, as stated in a previous article, the Mormons moved off to Salt Lake in large numbers, almost depopulating the county in so doing. The Gentiles came in rapidly to supply their place, and this year there was again an immense emigration. One fact may be given to illustrate its extent. W. W. Powers, J. B. Statsman, and two others established a ferry over the Elkhorn and another over Loup Fork, and during the season they received over \$50,000, all in gold, for transferring the emigration across these rivers. When they came to divide the money, at the close of the season, instead of counting it out, the partners seated themselves around a big table, and, after producing their bags of gold, proceeded to make four piles of the gold "rolers" (double eagles), and after all had been thus distributed, each party took one pile as his share of the business. Powers invested his money principally in the purchase of valuable claims (farms) on the Musketo, just east of Kanesville.

Early in the spring of this year, Mr. Samuel S. Bayliss, a native of Virginia, but who then resided in Illinois, after having spent some years in California, left St. Louis for Kanesville on the steamer Saluda. Arriving at Lexington, he determined to leave the boat, as he was convinced that it was unsafe. He had scarcely been off the boat ten minutes when it blew up, instantly killing the captain and from one hundred and fifty to two hundred of its passengers. Mr. Bayliss pursued his way up the river, and arrived in the county early in April. After looking over the ground for a couple of weeks, he determined to purchase a tract of about four hundred acres, comprising the farm and claim of Mr. Henry Miller, a well-known Mormon, about emigrating to Salt Lake, and the same who had given his name to the valley of Indian creek, at the mouth of which the claim was located. Mr. Bayliss also purchased the bishop's house, or place where the tithings had been paid. The deed, which was signed by Hyde, commenced as follows: "Jesus Christ and the Church of Latter-Day Saints sell to Mr. Samuel S. Bayliss," &c., &c. Mr. B. says he thought that ought to be a good deed. That year

Mr. Bayliss, who was soon after joined by his brother, Mr. Joseph D. Bayliss, and their families, raised a large crop of wheat, corn, and vegetables on the claim purchased of Miller, all of which found a ready sale to the emigrants during the ensuing autumn.

The emigration through the place this year was again very large, and many additions were made to the Gentile population, who purchased the old Mormon claims, often at very low prices. Among others who came to the county this year, were John T. Baldwin, Stephen T. Carey, William C. James, A. J. Bump, J. J. Johnson, and D. B. Clark. The last three immediately engaged in farming; Baldwin commenced selling goods; Carey was soon elected clerk of the district court, and James turned his attention to the law.

This season a single team, with a small hack, made the round trip from Des Moines to Kaneshville, traveling during the day and laying over at night. The entire journey, out and back, occupied from a week to ten days, according to the condition of the roads. The first station out of Kaneshville was at Silver Creek, and the second at Wheeler's Grove. The latter was kept by Mr. Noah D. Wheeler, and was long a noted point on the road across the state. About twelve miles east of this station was Indiantown, just in the western part of Cass county, and one of the places where a small colony of Mormons settled when the emigrants from Nauvoo first crossed the state.

A building called Hyde's New Hall, situated in the eastern part of the place, then known as Hyde street, but since as Madison street, was purchased June 22, 1852, for the sum of \$200. It was used for five or six years as a court house and school house, and for various other purposes. Near it was located the Union House, a large log building, and for several years the principal hotel in the place. Just at the intersection of this street with Broadway was the principal business center of the town. Here were the stores of Voorhis, Stutsman, Tootle, Ferguson, Pegram, and others. Here also was the drug store of Dr. McMahon, and near to it a famous saloon

and gambling house, known as the "Ocean Wave." A little way down, or westward, on Broadway, were the City Hotel, Nebraska Hall, and several other large buildings, including the Robinson House, which was quite a large structure of hewn logs, over which G. A. Robinson, in that and for several succeeding years, presided as landlord.

In 1852 the county was divided into three townships, known respectively as Kane, Macedonia, and Rockford. Kane comprised the village of Kanesville and the adjacent part of the county; Macedonia comprised all the eastern part of the county, and Rockford the northwestern part of the county. This latter region had been quite extensively settled by Mormons, and contained a number of fine farms along the Missouri bottom and on Honey and Pigeon creeks.

The first Mormon settler was Hiram Bostwich, who came into the township in 1846, and is still a resident, and cultivates the same field he first opened up in 1848. The name Rockford, was derived from a gravelly ford across the Boyer river, and which was also the place used by the disciples of Joseph Smith for baptising their converts. Near this point was also the Mormon church, of the locality of which a Mr. Wood was president. The first school, perhaps, in the county was opened here, in 1848. The first Gentile settlers within the limits of Rockford township were Joseph Hill, Joseph Kirby, Robert McGarven, Samuel Kirkland, and Sherman Goss, who settled there in 1850 and 1851.

In 1851 the vote of Pottawattamie county on superintendent of public instruction was 397 for Woodward and 51 for Benton. In 1852, for president, it stood: 111 for Scott and 182 for Pierce.

The name of the town of Kanesville, in Pottawattamie county, was, on the 19th of January, 1853, changed to Council Bluffs, the change in the name of the post office having been made some time previous. On the 24th of February, 1853, an act was also passed to incorporate the city of Council Bluffs, which was thus made a body corporate and invested with all the power and attributes of a municipal corporation.

H. D. Johnson, in the senate, and A. S. Bryant, in the house, were mainly instrumental in procuring the passage of these laws. Their selection of a name for the new city was fortunate, as it is the only place in the United States to which it has been applied. Early in April an election of mayor and councilmen was held in the new city, when the following appear to have been chosen: C. Voorhis, mayor; S. S. Bayliss, G. G. Rice, S. T. Carey, L. O. Littlefield, L. M. Klein, J. E. Johnson, J. K. Cook, and J. B. Stutsman, councilmen. At the first meeting of the new council, held April 13, 1853, all were present except Cook and Stutsman, who were each fined five dollars for non-attendance. The other officers, either elected or appointed, were: W. H. Robinson, recorder; M. W. Robinson, city marshal; A. D. Jones, city surveyor; G. P. Stiles, city attorney; Isaac Beebe, city supervisor, and G. A. Robinson, captain of the fire company. Very little business appears to have been transacted this year by the corporation authorities. The revenue of the city was derived from licenses issued to gambling houses and saloons, and the city treasurer, August 11, 1853, reported cash on hand amounting to \$283.78. On the 2d of July it was ordered by the city council that no official notice should be taken of the firing of squibs, guns, &c., until the 5th of the same month; so that the "Glorious Fourth" did not pass by unnoticed in the new city. During the latter part of the summer Mayor Voorhis resigned, and from that time the city government appears to have been in abeyance until the spring of 1855, when a new election was held and new officers elected.

Early in the year 1853 Mr. Samuel S. Bayliss determined to lay out his farm into town lots, and the plat of his first addition to the city was filed June 13, 1853, and of his second addition soon after. This was a most fortunate event for the growth of the city, as it brought into market an area of about four hundred acres of high, beautiful prairie, finely located just at the edge of the bluffs and extending westward from them about half a mile. Other additions were soon after added, and lots in all of them soon after came into demand.

Mr. Bayliss from the first pursued a very liberal course in disposing of his property, giving many lots away and selling others, in that and the following year, at very low prices. In connection with his brother, Mr. J. D. Bayliss, he proceeded to open a brick yard, and to burn several kilns of very fine brick that season. With these brick, the first ever manufactured in western Iowa, several dwellings were erected that season. The first was built by William C. James, and others were erected by P. J. McMahon, S. E. Williams, and J. P. Wagstaff. A two-story brick building was also constructed by Messrs. Lowe & Babbitt for a land office. In the latter part of the season Mr. Bayliss commenced the erection, just at the foot of the valley of Indian creek, of a brick hotel. It was finished during the fall and opened on Christmas day by Mr. Bayliss, who was its first landlord. It was named the Pacific House, and has ever been a popular resort for travelers from its first completion. It has since been greatly enlarged and improved by its enterprising owner, and is now one of the most spacious and convenient hotels in the western country.

On the evening of the 13th of May, 1853, a brutal murder was committed in one of the small valleys on the south side of Indian creek, since known as Glendale and now filled with handsome private residences. The name of the murdered man was Samuels, and that of the murderer, as given by himself, was Muir. Both were emigrants, on their way to California. The deed was discovered next morning, and produced a great commotion among the immense crowd of emigrants in the place. Although first placed in the hands of the sheriff, it was decided not to wait for the slow forms of the law to secure his punishment. A jury was therefore empannelled and as fair a trial had, probably, as could be secured in any court of justice at that day. A. C. Ford defended the accused, but the jury had no hesitation in pronouncing him guilty. Muir was then taken to a tree about twenty paces from the spot where he had murdered his victim. Rev. M. F. Shinn was called upon to administer spiritual consolation, but Muir refused anything of the kind. A rope was therefore fastened around his neck,

placed over a limb of the tree, and, after some hesitation, a Californian was found who fastened the other end around his mule's neck, and just as the sun was setting the body was seen suspended between heaven and earth. The glen was filled to overflowing with the people, drawn together by the novel and terrible spectacle. This, as far as can be ascertained, was the first murder and the first instance of lynch law that occurred within the limits of the city of Council Bluffs.

At the annual election, held in the summer of this year, Frank Street was elected county judge; W. D. Turner, recorder, and G. A. Robinson, prosecuting attorney. Judge Street had taken up his residence in the county early in the spring of that year. At the judicial election, held in the spring of 1853, S. H. Riddle ran for district judge and received a clear majority of all the votes cast, but, for some reason, the canvassers refused him a certificate of election, and he acted until the next election (in 1854, when he was again a candidate and elected) under a commission from Governor Hempstead. His predecessors in the office were James Sloan and A. A. Bradford. Although Judge Riddle's acquaintance with the technicalities and practice of the law had been limited, yet, being possessed of a very fair share of good, sound, common sense, he made a very good judge, and very few of his decisions were reversed by the supreme court.

The *Frontier Guardian*, as stated in a previous number, was the first newspaper published in Pottawattamie county. It was commenced in 1848, and continued to be printed for about four years, mainly under the charge of Orson Hyde. Although chiefly devoted to advocating the doctrines of Mormonism, yet it took quite an active interest in politics, generally supporting the whig party and candidates. In 1850 A. W. Babbitt started a democratic paper and called it the *Bugle*. He printed it for about two years, when it passed into the hands of J. E. Johnson, by whom it was edited and published for about four years. When Hyde went to Salt Lake, in 1852, he took a part of the material on which the *Guardian* was printed with him, the remainder going into the *Bugle* office.

Johnson was an active, wide-awake man — merchant, farmer, and publisher, and postmaster from 1853 to 1856. He devoted a large space in the *Bugle* to the advocacy of the local interests of the county, and his "*Bugle* notes" were widely copied all over the country. He was a Mormon, both in faith and practice, and although he tarried behind the great body of the church on its removal to Salt Lake, yet he also finally took up his residence in the southern part of Utah, where he is still extensively engaged in business. Johnson early opened a farm about four miles north of Council Bluffs, which he called "Ellisdale," and the columns of the *Bugle* were frequently redolent with praises, both in prose and poetry, of this suburban retreat.

On the 14th of November, 1853, the city of Council Bluffs was visited by a most destructive fire — the first and probably the most destructive that has occurred in its history. It broke out directly in the cluster of log and frame buildings situated at the head of Broadway, and in the very center of the business part of the town. Twenty-five buildings in all were destroyed, including nearly all the business houses. Among the sufferers were Stutsman & Donnell, Tootle & Jackson, B. R. Pegram, and a number of others. The office of the Council Bluffs *Bugle* lost a large quantity of type and other material. The total loss was estimated at \$18,000. Although occurring so late in the season, the work of rebuilding was at once vigorously commenced, and within a few months a large number of new and better buildings took the place of those destroyed; but, strangely enough, in just one year from the first fire, to-wit, on the 14th of November, 1854, a second fire occurred on the same spot, in which seventeen buildings were destroyed. In this fire the *Bugle* was again a heavy sufferer, losing two presses and receiving other very serious damage.

The public lands in Pottawattamie county were surveyed during the years 1851 and 1852. A land office was located in Council Bluffs (at first called Kanessville) early in the spring of 1853. Joseph H. D. Street was the first register, and Dr. S. M. Ballard receiver. They opened their offices in a log

building, and the first entry was made under the pre-emption law by Joseph D. Lane, the second by Joseph Busha, and the third by Mrs. Maria Mynster. This lady, having then recently lost her husband, who had made a pre-emption settlement on the public lands, determined, on his death, not to lose her claim to the tract, but, with her then infant son, took up her residence upon it, in a rude cabin hastily constructed, in which she remained long enough to enable her to secure the title, which she still holds. Mrs. Mynster still resides in the city; she has a will and mind of her own on all subjects, and, by her judicious investments at that early day, has secured for herself and family a handsome competency, and has always been regarded as one of the most respected and enterprising of the early pioneers of the county. The receiver was then required to make his deposits of money collected (only gold and silver were receivable in payment for land) at Dubuque, and the journey to that place, across the country, was at the time a really serious, if not hazardous, undertaking, and occupied the time of the receiver for two or three weeks in making the trip. Subsequently, St. Louis was designated as the place of deposit, and thereafter, for several years, the gold and silver collected by the receiver was conveyed on board steamboats on the Missouri river. In the month of March, 1853, the number of acres of public lands entered was 3,810, in April 4,813, and in May 15,371 acres, all under the pre-emption law. The land district then comprised the entire western part of the state for a hundred miles east of the Missouri. Early in June the land officers were changed, Enos Lowe becoming receiver, and Lysander W. Babbitt register. Both had previously been residents of the eastern part of the state.

The first sale of government lands at this land office occurred on the 6th and 7th of June, 1853. It seems to have attracted very little attention, as only 1,300 acres in all were disposed of, and all at the minimum price of \$1.25 per acre. The speculators in the public lands had not yet turned their eyes so far westward, and consequently the rich and fertile

prairies of Western Iowa remained without buyers. Up to the first of January, 1854, 95,382 acres were sold. During the summer of 1853 Johnson & Casady opened a land office in Council Bluffs, the first to engage in that branch of business in the whole region west of Des Moines. J. D. Test was associated with them in the business early in the following year. These gentlemen each took a prominent part in the subsequent history of the county. Johnson, however, removed to Nebraska in 1854 or 1855, the business being continued by Casady & Test.

In the fall of 1853 about one hundred residents of Pottawattamie county crossed the Missouri river at Trader's Point, near the southwestern corner of the county, and, with a few Indian traders and others, held a convention at Bellevue, where an Indian mission had been established for several years among the Omaha Indians. At this convention it was resolved to petition congress for the organization of a new territory west of Iowa, to be called Nebraska. The meeting also appointed Hadley D. Johnson delegate to congress to urge the passage of the law. This, it is believed, was the first political convention ever held within the present limits of the state of Nebraska.

So far as can be learned, the first sermon preached in Pottawattamie county by an orthodox minister, was by Rev. Wm. Rector, of Fremont county, in the latter part of November, 1848. The Rev. Wm. Simpson, a Methodist clergyman, came to the county in 1850 in pursuit of horse thieves, and soon after was stationed at Kanessville by the presiding bishop of the state. His field of labor extended over the entire territory now comprised within the limits of Fremont, Mills, and Pottawattamie counties. John Hayden was then presiding elder over the whole region west of Monroe county, and he faithfully traveled over his entire field, meeting with many interesting incidents connected with frontier life and his labors among the early pioneers. The Mormons were but poorly pleased with the appearance of a Methodist minister among them, and his residence in their midst was far from

being pleasant. Simpson seems to have met their hostility with a good deal of spirit, and, in his sermons, dealt them some pretty severe blows. One of his discourses was known as the "frog sermon," in which he compared the Mormons to the frogs described in Revelations, that "come out of the mouth of the dragon, and out of the mouth of the beast, and out of the mouth of the false prophet." The sermon greatly enraged Orson Hyde, and he sent Simpson a notice that he must leave within a very few hours, or his life would be in danger. The latter immediately called on the Mormon autocrat, and told him that he held him responsible for his life, and also for the protection of his property. The curse was thereupon immediately withdrawn, and Simpson continued his labors until the fall of 1852, acting during the last year also as presiding elder. He was then succeeded by Rev. Moses F. Shinn, who came from the eastern portion of the state, and was a man of great vigor and perseverance. He served in the double capacity of presiding elder and preacher in charge, for two years. He was assisted by the Rev. Mr. May a part of the first year, and by the Rev. Mr. Jennings a part of the second year. During the year 1863, the Rev. J. S. Rand also came into the county. Mr. Shinn's labors in 1853, and that of his assistant's, seem to have been crowned with a good deal of success, and quite a number of conversions occurred. In 1853, through the persistent labors of the minister, a frame building, of cottonwood lumber, was erected on the side of the hill, near the center of the town, which was used as a church for a number of years. In collecting funds to meet the expenses of its erection, Mr. Shinn was greatly aided by the ladies' aid society, of which Mrs. S. S. Bayless, Mrs. W. J. Coopes, Mrs. Frank Steel, and Mrs. M. F. Shinn were active laborers. They enjoyed the satisfaction of largely contributing to the erection of the first place of Christian worship in the county. All are still living, and all, with the exception of Mrs. Shinn, still residents of Council Bluffs.

In reference to the further religious history of the county, the Rev. G. G. Rice has kindly allowed me to make the fol-

lowing extract from a sermon preached by him in Council Bluffs on the 12th of September, 1869:—

“At the repeated request of the agent of the home missionary society, and under the patronage of that society, your speaker began his labors in this city on the 15th of November, 1851. It was then called Kaneshville, and was a village of 2,500 or 3,000 inhabitants, but it resembled an encampment more than a regular settlement. No one thought of making this his home, but expected either to leave the following spring, or as soon afterward as they could get away. The houses were mere temporary shelters, without any other furniture than that of rude home manufacture. The people did not wish to have any thing to sell when they should break up to move, lest there should be no buyers. About four-fifths of the people were Mormons, and outside of the village they were in about the same proportion. The Mormons claimed to number about 15,000 in western Iowa, whilst those they classed as Gentiles were less than two thousand. The Gentiles living in the village were here, for the most part, for the sake of the spring trade, which the annual tide of emigration across here to California and Oregon afforded. The Sabbath was the day when there was more buying, selling, and general business transacted than any other day in the week.

“Our first services were held in the court house on Madison street, attended by the Mormon elders and many of their members, but, as that house was otherwise occupied, at the hours most suitable for public worship, we rented a log house eighteen feet square, on Broadway, where the Bryant House now stands. Here we had preaching every Sabbath morning and evening, a Sabbath School in the afternoon, and a weekly prayer meeting on Wednesday evening. There were in the place at that time only two families of orthodox Christians. One was that of a merchant belonging to the Presbyterian church, in St. Louis; the other that of a Methodist minister. We all labored together, the Methodist brother preaching every alternate Sabbath. About fifteen persons

steadily attended the prayer meeting and Sabbath services, and many more were occasional attendants on the Sabbath. Twenty-five or thirty children were instructed in the Sabbath School.

"In the spring of 1852 a large house was purchased on the north side of Middle Broadway, which we occupied jointly for over a year, and then sold, and formed separate congregations. Toward the last of March, emigrants for Oregon and California began to pour in by thousands. From that time until July, when the season for emigration was over, all was bustle and confusion. But little regard was paid to law, order, or the conventionalities of civil life. Gambling was as open as any other business, and their tables were sometimes set on the sidewalk and on the corners of the street. The first of July of this year, when the emigration had ceased, the town seemed desolate and dull, for scarcely five hundred people were left, and in the county were empty cabins and deserted farms. The cholera broke out, and a large number of persons died. But in the spring of 1853, the emigration brought us some strength, and on the twelfth day of June a Congregational church of eight members was organized. Five of them had previously been Congregationalists, two Presbyterians, and one a Free-will Baptist. In the autumn of 1853 the house which we owned with the Methodists was sold, and for the next year and a half, and until a new church was erected, your speaker held religious services in his own house on Middle Broadway."

The end of the year 1853, in these notes, is now reached, and here we close our record until a subsequent number of the ANNALS.

In May or June of the year above indicated, a brother-in-law of the writer, Col. David Wood, of Springfield, Mass., arrived with his family, and with him the writer decided to erect a frame dwelling—the first frame dwelling erected in the county, by the way—on the site of what afterwards became the town of Anamosa. The frame was pre-

EARLY EDUCATION OF IOWA MUTES.

BY E. BOOTH, ANAMOSA, IOWA.

To save explanation in the body of this article, it may be advisable to state, at the outset, that the writer hereof belongs to that class known as deaf-mutes; was educated at the institution at Hartford, Conn., and was, afterwards and for seven years, one of the teachers of that school; also, and as this is intended for a historical, and not for an ordinary Magazine, matters will be introduced, and with some particular minuteness, that might otherwise, and with more propriety, be omitted.

In the spring of 1840, the site of what is now Anamosa did not contain a human dwelling of any kind. At the distance of a mile or more therefrom, and at a point now called Fisherville, stood a log house, about eighteen by twenty feet in size, owned by a company engaged in building mills such as were needed by frontier's men for grinding or sawing. The company consisted of Timothy Davis, of Dubuque, Gideon H. Ford, and George H. Walworth, the first and last named being then and subsequently well known in Iowa politics. There being no house within five miles of the place, Mr. Walworth brought two of his sisters from their home in Illinois, to aid in housekeeping. One of these sisters was a mute from New Hampshire and educated at the Hartford institution. Another mute, a young man, also educated at the same school, Mr. W. found at Alton and brought on as a skillful carpenter. The name of this young man was L. N. Perkins.

In May or June of the year above indicated, a brother-in-law of the writer, Col. David Wood, of Springfield, Mass., arrived with his family, and with him the writer decided to erect a frame dwelling—the first frame dwelling erected in the county, by the way—on the site of what afterwards became the town of Anamosa. The frame was pre-

pared at the mills, near the log house aforesaid, and in June or July we proceeded to dig the cellar.

One day while engaged in this latter occupation, in company with Perkins whom I had hired for the purpose, and no other person being present, the Sheriff of the county, Hugh Bowen, came along in his usual way on horseback. He stopped, dismounted, drew a roll of papers from a tin case and entered our names, place of nativity, etc., in the census of 1840. Having performed this doubtless agreeable duty of prying into every man's history, not to say his private affairs, the Sheriff remounted his horse and proceeded to the log house before mentioned, there to continue his pursuit of knowledge without the aid of a schoolmaster. While he was entering our names and all the *et ceteras*, I noticed that his paper was printed in the form usual on occasions of this kind and that he placed the proper figure under the head of deaf-mutes. I may add, in this connection, that he was an old acquaintance, a tall, rather slender man, with a wonderful nose, large, long, and beaked, with face almost as thin as a meat axe. He was a genuine good fellow, and an inveterate old bachelor withal; and was the first settler in the county, living at Bowen's Prairie, so named after him. He removed to Oregon some twenty years ago, and I have no information of him since.

The taking of the census was completed throughout the country, and in due season printed and laid before Congress and the public; this was three decades ago. Many persons now living will remember the storm which the publication of this census brought up. John Quincy Adams, former president, and then a member of the lower house at Washington, and others, as well as the newspapers, attacked it fiercely as having been manipulated in the interests of slavery. John Tyler was president through the death of Harrison, and John C. Calhoun was secretary of state; the office of secretary of the interior had not been created, and the census bureau had charge of census matters, subject to the control and supervision of the secretary of state. The abolition war was

raging in Congress and out, and southern politicians, and northern tools declared slavery divine, and the best possible condition for the blacks. To prove the truth of this latter assertion the census returns had been so perverted as—falsely—to show that a far greater proportion of the free blacks of the north were variously afflicted with physical infirmities than was the case with the enslaved blacks of the south; but possibly, because there were not enough blacks in some of the northern states, or because the fraud might too easily be detected, or because southern statesmen, in their ignorance of the real state of things in the north, supposed northern mutes were as generally uneducated as were those of the slaveholding regions, the mutes of the north were very liberally classed in the published returns as deaf, dumb, blind, idiotic, insane, and colored!

While the feeling on this subject of falsifying the census was at its height, I received a copy of the *Hartford Courant* in which was a communication, probably written by Mr. Weld, the principal, or some one of the teachers, giving localities of former pupils of the Hartford institution, and now published by the government as colored, and overwhelmed by all the ills that can afflict humanity. The mutes of Jones county, Iowa, that is, the writer hereof and the two mentioned above, I now learned for the first time were, in the archives of the government and for the information of the coming ages down to the end of time, described as “deaf, dumb, blind, idiotic, insane, colored.” I pause for breath!

There are those who are readily irritated at trifling annoyances, but bear great misfortunes with a quiet philosophy or a stolid indifference. The statement just quoted was too atrocious, too extravagant, and too absurd for indignation. It brought gently to my recollection the wrathful exclamation found in Shakspeare:

“Get thee glass eyes,
And, like a scurvy politician, seem
To see the things thou seest not.”

Years passed until 1847, and the territory of Iowa became a state. The subject of a school for the deaf mutes within our borders had occasionally crossed my mind and been dis-

missed as untimely. As a territory, nothing could be done save in a private way. Iowa being a state, provision could be made whereby mutes might have equal educational privileges with hearing children. But the state was neither populous nor wealthy enough to embark in costly schemes, and I therefore wrote to Thomas Officer, principal of the institution for the education of the deaf and dumb at Jacksonville, Illinois, to ascertain whether and on what terms his school would receive and educate the mutes of Iowa. His answer was favorable, the terms, I think, were one hundred dollars a year for board and tuition. This was during the early part of the session of 1848 and 1849, of the Iowa legislature.

On receiving Mr. Officer's answer I immediately wrote to Dr. Nathan G. Sales, then representing our county in the lower house, requesting him to inaugurate and press through a bill authorizing the sending to the school at Jacksonville such Iowa mutes as were of educational age, and before they became too old to enjoy this advantage, at the same time stating that our new commonwealth was too young and not sufficiently advanced in population or ability to start a school of our own. Incidentally, and as a tolerably good joke, though at my own expense, and never dreaming of the use to which the doctor would put it, I told him that, by the census of 1840, all the mutes of Jones county were bound up in calf, and laid away in the government library, and published to the world as "deaf, dumb, blind, idiotic, and insane niggers," asking him at the same time, and he being a physician ought to know if he didn't, whether it was possible for a person to be at once idiotic and insane? In this letter I enclosed the one from Mr. Officer.

The Doctor, as he afterwards told me, read my letter in open session and there was a general laugh—as well there might be. He brought in a bill making provision for the education of the mutes and blind of the state, but met with opposition on the score of poverty. He therefore resorted to strategy. There was a bill providing for a sword for some officer who had distinguished himself in the Mexican war;

the Doctor made his vote for this conditional on the passage of the bill for mutes and blind. Having forgotten the name of the officer, I wrote to the Doctor, now a resident of Colorado, stating my object, and requesting him to give more minute particulars. Below I append his answer:

"GOLDEN, COLORADO, Sept. 6, 1871.

* * * * *

"Now to the mute bill of Iowa. In the year 1848, I having been elected to the house of representatives by the counties of Jackson and Jones, Iowa, and there being several mutes in my county, one of whom was Mr. Edmund Booth, a very intelligent gentleman, who, I learned, had formerly been a teacher in a deaf and dumb asylum in the east, who called to my mind the fact that in Iowa there was no provision made for the education of the mutes of our state, and spoke to me of the propriety of asking the state to make a small appropriation for the education of the mutes, in some asylum out of our own state as we had none in the state at that time; accordingly in the fore part of the session, the following December, I introduced a bill asking for an appropriation out of the state treasury, I think of two hundred dollars a year for the education of each mute and blind person of our state who would apply for it. I talked the matter up with the members for a short time; most of them considered it perfectly just, as there was no provision made by the state for mute and blind education; many said we were too poor to do it then, but after working for it several weeks, I concluded I had secured enough friends for it to put it through; so I had it brought up on its second reading, and to my surprise, several of the most prominent members, who had promised me to go for the bill, arose and made speeches against it, pleading the poverty of the state, &c. Notwithstanding I had previously, through the persuasion of these poverty-stricken members, inserted in the bill a clause (that I called a begging clause), providing that no mute, or blind person, should be entitled to the benefits of the act who was able to pay for his or her own tuition. When I found my bill was receiving such vio-

lent and unexpected opposition, and fearing it would be defeated if allowed to go to a vote, I moved it be referred to a select committee of three, with a Mr. Harrison, of Johnson county, as the chairman.

"In about an hour after my bill was so referred, the secretary of the senate reported a joint resolution having been passed by the senate, making an appropriation out of the state treasury of two hundred dollars, I think, for the purchase of a sword, to present to Capt. B. S. Roberts, of Iowa, for his bravery in hoisting the first American flag on the capitol of Mexico. The resolution was at once brought up and put on its passage, and I, yet feeling rather sore at the probable defeat of my first bill of the session, jumped up and opposed the resolution in a short speech, telling them, among other things, that it did not look consistent to be making presents to a man who was amply able to take care of himself, out of a treasury that was too empty to render any assistance to the education of the helpless mute and blind of our state. Judge McFarland, of Lee county, who sat near me, sprang up, and stated that his resolution was a matter of *honor*, and for the benefit of the constituents of the gentleman from Jones, he would call for the Y's and no's; I replied, that I did not care for his Y's and no's; and when the names were called, a Mr. Thompson, of Henry county, and myself were the only members voting no. After the passage of the resolution, I immediately stepped over to Mr. Harrison, to whom my bill had been referred, took it and drew my pen over and erased the begging clause, and asked him to report it immediately, as amended, which he did; and it coming up at once on its third reading, passed without a dissenting voice. On the reading of the journal the next morning, Mr. Thompson and I were induced to allow our votes to be changed, so they would appear on the journal, unanimous for the resolution.

"Yours truly,
N. G. SALES."

In what way the bill passed the senate I never learned, but it became a law, and appropriated fifty dollars to each mute

sent to the institution at Jacksonville; the parents or friends paying the balance sufficient to make up the one hundred required annually. It was the best that could be done at that time.

In the spring of 1849, I went to California, and returned in the spring of 1854. On inquiry, I ascertained that the law had been so changed as to allow to each mute one hundred dollars annually in the Illinois school. During my five years of absence, the state had grown remarkably in population and wealth, and I now thought the time had come for a school of our own. With this view, I again wrote to Mr. Officer, the principal of the Jacksonville institution, for data regarding the number of our own pupils, etc., and hinting at the establishing of a school in Iowa. Trouble in one of the lungs, resulting from a lung fever during student days, forbade taking the work of teaching on myself; I therefore wrote to David E. Bartlett, who was conducting a private school of mutes at Poughkeepsie, N. Y., stating how the matter stood, and suggesting to him to come and start a school for deaf mutes, at Iowa City, the then capital of the state. Mr. Bartlett had formerly been a fellow-teacher with me in Hartford, and I knew him to be abundantly qualified, he being by nature a hearty enthusiast in his profession, and having the love and respect of his pupils, and all the mutes of his acquaintance. To my great regret he declined the proposal, giving as reason, "age and seventeen little responsibilities," by the latter meaning his pupils. Knowing no other teacher of mutes, outside of the regular institutions, worth having, and knowing also that no teacher, properly qualified, naturally and otherwise, and connected with any established institution, would sever such connection for what might appear a Don Quixotic adventure into a frontier state, and the up hill work of starting a new school. I concluded to wait until near the time of the assembling of the next Iowa legislature, and then by letter or in some way interest a few of the prominent men of Iowa City in the project, induce them to bring the matter before the legislature, and obtain an appropriation for the founding of an

Iowa institution for the education of the deaf and dumb, to be located at the capital of the state. A foundation of this kind once laid, I knew there would not be the slightest difficulty in obtaining any one of the best teachers in the older institutions to take charge of it.

While I was waiting the lapse of a few months, and the coming of the right time, the Iowa City papers informed me that a Mr. Ijams, of the Jacksonville institution, had appeared, with the intention of starting a school for mutes. Of course my project went by the board, or rather went into abeyance until I could know the result of Mr. Ijam's action. I knew nothing of him, but knew well that teaching deaf mutes required peculiar qualifications, and in a large degree, the qualifications that pertain to an actor; once started, however, and under legislative sanction and fostering care, I was satisfied that things would eventually go well, whatever might be the case at beginning. Prominent men in Iowa City enlisted in the project; the legislature responded favorably, and success crowned the effort. With Mr. Ijams and his assistant teachers from other schools, much good resulted, as I learned by conversation with pupils during their vacation visits home. There were also unfavorable aspects, causing doubt regarding the management; but with so much grumbling in the world I did not wish to form any decided opinion. At the first state fair held at Iowa City, I attended and called at the institution a half hour every morning before the fair was fully opened. It was vacation, but a few of the pupils were present and with these I enjoyed an old familiar chat in the language of signs, also making the acquaintance of Mr. Ijams. During these visits, it became clear to me that a principal was wanted from some one of the older institutions, one who had a larger experience in teaching and larger acquaintance with the various schools and the modes of instruction. A few months later, Mr. Ijams retired and Mr. Benjamin Talbot, of the Ohio institution, was appointed instead. With Mr. Talbot I have no personal acquaintance, but all the reports regarding him and his management are favorable.

When it was proposed in the legislature to erect a new building and give the school a permanent location, Dr. Sales suggested to me to get up a movement in favor of its removal to Anamosa. "No," I replied, "public institutions are liable to mismanagement and abuse by those in charge, and it is essential to have this school at the state capital where it will be under the immediate eye of the legislature and the state officers." The Doctor acquiesced in this view and the institution went to Council Bluffs.

And now let me dispose of the politicians who have figured in this article. After serving a term in the lower house of the legislature, Dr. Sales was elected to the senate. This was in the days when democracy ruled in Iowa. He was next receiver in the land office at Chariton, which position he held three years and then resigned and returned to his home in Anamosa. He was afterwards elected mayor of the city, and ran for other offices. On one of these occasions we met on the street, and he said to me:

"I expect the votes of all you mutes, for I am the father of the institution for the deaf and dumb."

The effrontery of the remark was, for the moment, astounding in its effect. He was the leader of his party—the democratic,—the war of the rebellion was raging, and I was the editor of the only republican journal in the county. As soon as I could recover, I replied:

"I claim that honor; you was only my tool. If any other man had been in your place in the legislature, I should have sent my letters to him." He laughed, and admitted the justice of that view, and added:

"I always thought I was the father of that institution."

I passed on, marvelling at the impudence of politicians and the shifts to which they will resort for votes. As to the honor as mentioned above, I had never given it a thought. Each had done his duty in the premises, and each ought to be satisfied, and certainly I was. To do him justice, he was, and is an awful politician, on the democratic side, but is a good fellow in general, a man of wealth, liberal in the matter

of public improvements, etc. For many years he has been troubled with asthma, and, two or three years since, removed and fixed his residence in Colorado, finding there the only relief and freedom from chest and throat complaints.

Some time in the course of the rebellion, three or four lines in the newspapers announced the death of John Tyler, and that was all the notice the event received. He was merely a specimen of the nobodies we place in high position. John C. Calhoun died some years previous, an astute politician, and only half a man because, lacking a third story to his head, he was unable to understand that the world is governed by natural, or, as we say, moral laws. He was useful however; he combined, concentrated, and intensified all the strength and venom of slavery for its last grand struggle with freedom. In the encounter slavery was worsted and swept out of existence. He may still be of use, for, to quote Shakspeare again :

"Imperial Caesar, dead and turned to clay,
May stop a hole to keep the wind away."

EARLY EXPERIENCE IN IOWA.

BY R. B. GROFF, MARENGO, IOWA.

"I was standing on the hurricane deck of the steamer Potosi, on the morning of the 7th of April, 1845, looking out through a heavy fog for the soil of Iowa. Suddenly, large stacks of brick and mortar appeared in view, and the captain kindly informed me that these were a part of the city of Burlington. After a journey of twenty-two days in coming from Strasburg, Lancaster County, Pennsylvania, eleven of which had been spent on the water from Pittsburg, I was glad to feel safely landed. I was much pleased with Burlington. She had a beautiful situation surrounded by rich farming lands, which would eventually build up a great city. But I

had not sufficient means to pay the price then demanded for lots or claims. I borrowed a horse and rode out north-west from the city to get an outside view of the country. After riding beyond the Mississippi, I had my first introduction to the vast rolling timberless tracts of land called prairies. My first impression was that they were worn out old commons, like I had seen in old Virginia. But as there was no appearance of old houses or fences, I could not help asking myself how or when had they been so completely swept by the besom of destruction. On more close inspection I saw no ridges or open furrows usually seen in old worn out fields. Then the impression came home to my slow moving mind that this was the land cleared by the hand of nature for actual settlements, and dug up by living gophers!

On ascending a high ridge, I looked all around and could not help exclaiming, beautiful! beautiful! I saw a solitary house far in the distance surrounded by an ocean of land. It was an unfinished, inhabited log cabin. I do not know how long I had been riding, but this was the only house, and the inhabitant the only man, since I left Burlington. I hallooed, a hand slowly pulled aside the white sheet suspended over the hole intended for a door, and a long, lean, sallow visage crowned with a stack of uncombed hair, filled the opening; a long, heavy, greyish beard concealed the place where a mouth ought to be. I spoke several times before he made reply:—

“Where does this road go to?”

“Don’t go at all — *stays there!*”

“How far to Burlington?”

“Don’t know.”

“What is up that way?”—pointing in a certain direction.

“Columbus City.”

“Well,” I quickly replied, “I want to see the city.”

I rode on, looking in every direction to see the “city’s peopled towers.” I did not see any one, nor hear the sound of any human being. Occasionally a wild bird would start up at my horse’s feet, and, with a whirling, whistling motion,

violently divide the air. I was at first as much frightened as the birds, but as separation between us seemed so rapidly to widen, I felt perfectly secure. As the dusk of evening was collecting around me, looking from the summit of a ridge I fortunately saw a house, and made for that point with all possible speed. It was dusk when I arrived at the house. A short, heavy-set, unwashed man was standing in an opening in the side of a log wall. His pantaloons, shirt, and wamus were brownish linsey-woolsey; his pants were tucked inside the tops of huge 'oots that had seen many better days—*toes* looked out at one *end*, and *calves* at the other; knees peeped out of pants, elbows out of wamus; hatless, shirt collar open, hands chucked in huge pockets. A kind of half smile lingered around his almost beardless mouth, which was heavily coated with tobacco, the essence of which had flowed copiously down on his garments.

"Can I stay all night?"

"*Yes, sir.*"

"Have you anything to eat?"

"*No, sir.*"

"Why, how do you do?"

"*First rate—how do you do?*"

I had hominy, fresh pork, and milk for supper; the same for breakfast. Slept on the naked floor with my clothes on, while my head was supported by a huge, noisy machine (when I touched it)—the host said it was stuffed with prairie feathers. My horse was tied to the corner of the house, and fed with grass.

"What is the name of this place?" I asked.

"Columbus City," was the reply.

There was but one house! In the morning I asked the distance and direction to Iowa City. He told me to go down the hill, cross the Iowa river, and go up on the east bank. The distance was about twenty-five miles. "Has it as large a population as this place?" I inquired. "Yes, it is *some* larger," he replied. I determined to ride on and see for myself. I do not remember passing a house from Columbus

City to Iowa City. I arrived at the latter place about 4 o'clock in the afternoon, and put up at the Hawkeye House, kept by Mr. Gault. This place was so much larger than Columbus City that I felt very agreeably disappointed. The state capitol made quite a show, and many other buildings gave signs of advancement. While at the hotel I became acquainted with Abraham Bowman, from near Carlisle, Cumberland county, Pennsylvania. He persuaded me to go with him some six miles out of the city, on North Bend, to see his son Francis. We crossed the river and passed up on the south side, where Newcomb had commenced grinding, and entered the bend through the claim of Mr. Harles. Mr. Bowman was armed with a rifle, and near this place he shot one of the largest spotted rattlesnakes I ever saw. While we stopped we cut a forked stick, placed it firmly on the neck of the snake, and with another stick we critically examined its very curiously constructed teeth. I looked up, and some distance from us we saw a herd of deer prancing, playing, and sporting.

The next day we went out to see the timber and the rocks from which the stone had been derived for the capitol. Here there appeared to be a den for snakes, for rumpers had crawled out from their winter nap, to be thawed out for summer business; they were so stiff they could not jump, so we killed thirty-two rattle and three garter snakes.

I bought a claim from Frank Bowman on eighty acres of prairie and fifty-seven of timber for twenty-five dollars. I returned to Burlington, brought my family on the bend, lived there nearly two years, and then sold out to Nicholas Zeller. I then moved to this place, where I have been living since the spring of 1847, in and near Marengo, Iowa county, Iowa.

ANECDOTES AND INCIDENTS.

The first court held near the county seat was held in my house. Judge Carleton presided. L. B. Patterson was prosecuting attorney, and R. B. Groff sheriff. The grand jury

was stowed up in the loft, and as the ceiling was high, and I had no ladder, Robert Murcheson lifted the men up till they caught the joist or flooring. Cleaveland, deputy sheriff, sat under the hole to keep them up. Fears were entertained that Hatcheson, sitting near the hole, might forget himself and fall through. To prevent this, the sheriff poked him up with a broom handle.

The first legal act performed, to my knowledge, was done by Horace H. Hull. A couple were to be married at Brush Run (now called Homestead). Hull had just received his commission as justice of the peace. The old blue book was the only statute. Hull inquired if the book was in the house, and a copy was presented. He searched the book to find the form of marriage, but, failing to do so, he handed the book to another, kindly requesting him to look. He failed. The company became impatient. Then the justice said: "We will have to try it." He (stepping close to the couple) said: "Please be *elevated*—rise up; join hands. And you," addressing the groom, "take this woman to be your wedded wife, to nourish, cherish, sustain, love, forsaking all others, and pertain eternally to her in death and sickness. Oh! — there is a mistake! — disconnect hands — *it was usual to inquire if any one has any objection.*" The father-in-law spoke up: "*I'll insure you no one has any objection.*" "Well," said the justice to the bride, "what do you think of these things?" She said: "I think they'll do." "I think so too," said the justice; "*you're man and wife.*"

Ex-Governor Stone on the bench. — In the morning, first business, motions. His Honor was calling in the usual way. When he came to a motion, Mr. J. D. Templin would rise up on end, and spread himself in an eloquent, long, windy, rambling, scattering speech, while his honor sat patiently, with his legs crossed on the desk. When Templin had finished talking, and sat down, his honor said "Well," as he took down one foot, and let it strike the floor hard. Then the other would go through the same process; and his honor said: "Mr. Templin, I see no *beginning, middle, or end to*

your speech; but hereafter if anything comes up during court, in which you are interested, I will consider your speech as already made."

Rev. Israel L. Clark was preaching, on a warm summer day, and in the discourse he said: "I am beset on all sides by proper subjects for immersion. I am sorry water is so scarce. If I was surrounded with the pure, crystal, rippling, rumbling, bubbling Jordan, that immersed the Immaculate Son—" Bro. D. Sprague spoke up: "Father Clarke, *there is a large hole on Clear Creek!*"

Dr. J. Simon Frost and Mr. Taylor first attempted to stake off the lots in this city. they could get two stakes to range first rate; the difficulty was to have three to exactly fall in line. Cyrus Sanders eventually came to perform the surveying. Frost professed to be a doctor, preacher, and millwright. The proprietor of the first mill above Iowa City told me the Doctor was preparing a frame-work to sustain a pair of ponderous burrs. "The owner told me," I modestly said, "the frame is not heavy enough for those heavy burrs." The Doctor quickly replied, "It is necessary for all ponderous machinery to have *elasticity* and *vibration*."

Mr. Headly moved from Clear Creek, Johnson county, Iowa, to Iowa county. He was a singular man, and professed to be acquainted with all branches of business. He was a doctor, preacher, &c. Rev. Israel L. Clark paid him a visit, and the two commenced a *very learned* discussion upon the advantages of education. Headley would talk, and gave Clark no chance to stick a word in edgeways. "Yes, yes," remarked Headly, "*edecation* is a first-rate thing—*first-rate*; if I had not received a first-rate *edecation*, I'd have been almost an *idiot*." "Well," said Clark, "you didn't miss her much with all your *edecation!*"

Judson Athey used to be fond of *metaphor*. He always had better things than any body else. He said he planted one-half bushel of potatoes of a new kind, and had a yield of eighty bushels. "Well," said Squire Brown, one of Athey's nearest neighbors, "I guess you dug some of my pota-

toes." As Athey was a class-leader in church (the preacher in charge told me), I kindly told Bro. Athey that these large stories did not become a Methodist class-leader. "Well, well," said Athey, "that's so; it is one of my failings, and I have shed *barrels upon barrels* of tears over it."

ANECDOTES FROM JUDGE WILLIAMS.

When I was holding court in Johnson county I got tired of calling "Territory of Iowa *v.* Mrs. Dupont," so I thought I would reverse the case—"Mrs. Dupont *v.* Territory of Iowa."

I received my commission as judge of the territory of Iowa while in Pennsylvania. The first court I held was in Cedar county. Some one placed a large split-bottom chair under a spreading burr oak, and I sat down to settle the county seat. I picked out the longest, leanest, lankest, ugliest looking man in the crowd for sheriff. He had a long beard, and when his mouth was closed no opening was visible, and when he spoke it looked like a hole in a buffalo hide. The grand jury sat down on the ground on the right, and the petit jury on the left. I impanelled the former, swore a bailiff, and sent them off to work. The bailiff took the jury to a large rail-pen and herded them in. They were about indicting a man for stealing hogs, when a Dutchman squealed out, "*I dont agree.*" At these words, an Irishman, springing to his feet and pulling off his coat, said: "I'll make you agree," and commenced pegging the Dutchman. The bailiff came running to me, saying, "Judge, Judge, the jury are all fighting." I went down, kicked open the fence, and sent them home, saying I would not have the county disgraced.

When I was in Jones county I was led into a slough where the grass was as high as my head. A chair was placed and I sat down, and they told me that was the county seat. I impanelled the grand jury, and they were taken down the slough to commence work. I was preparing the petit jury for work, when the bailiff of the grand jury came slipping up close to

me, and then hallooed: "Judge, is it right to have any body *snakin'?*" I did not know what that meant, so I inquired and said, "No, no,—have a picket guard placed at a certain distance to keep all sneakers off!"

RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTH-WESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 606.)

At the October election of 1857 John L. Campbell was elected county judge, C. E. Hedges, treasurer and recorder, L. Tacket, sheriff, and C. B. Rustin, county clerk. Judge Campbell was, at the time of his election, a partner of W. R. Henry, in the real estate business. He was very affable and genial, which, together with his suavity of manners, made him many warm friends. Soon after his election he was beset by a few pretended friends, who were eager to plunge their hands into the county treasury, and urged upon the judge the building of a county jail, and the issuing of county warrants to pay for the same. Yielding to the advice of friends, the spring following he awarded the contract at big figures to J. W. Bosler and C. E. Hedges. The building was to be of brick, two stories, and rooms sufficient for jailer and family. No other county warrants were to be issued for county buildings until the jail warrants were disposed of by the contractors.

About this time, S. H. Cassady erected a large and commodious two-story brick building in Sioux City at a very heavy expense, which so involved him that he found it necessary to sell the building for the liquidation of the many claims against him. As the county was having a fine jail for the reception of criminals, there was no good reason

why it should not have a fine court house to try them in, thought Mr. Cassady, and through the influence of Mr. Henry a sale was effected with Judge Campbell for the building, which was then known as "Cassady's Hall," for the sum of twenty thousand dollars in county warrants, which agreement became a part of the county records. This coming to the ears of Bosler and Hedges, who regarded it as a great invasion on their jail warrant interest, they were soon seen wending their way to the county judge's office, pouring out their vindictives on the county court so furiously and lavishly that an eccentric bystander remarked, that bitter oaths were heard coming up out of the earth around the judge's office for a month after. On their arrival at the judge's office they found the judge absent, and the records safely housed in a huge iron safe. They determined at least to show their willingness to annihilate all papers pertaining to the sale, and at once commenced a vigorous attack upon the safe, which offered resistance equal to the attack, when, after giving it a severe thumping for its unyielding qualities, they retired, badly demoralized, and with no visible improvement of morals. Soon after this (as the judge informed me), Bosler called on the judge at his office, and requested him to accompany him up to the jail, which was then nearly completed, for the purpose of inspecting the work. When they had entered the jail, Bosler turned the key, and as the lock clicked said to the judge, "damn you, do you hear that," and in a menacing manner demanded a retraction on the part of the judge, as to the court house purchase, and a complete annulment of the entire contract. Bosler being of the inflexible, and the judge of the flexible character, and perhaps not wishing to be the first prisoner in his county lock-up, no doubt thought "give me liberty, or give me death" — the judge succumbed, and agreed to annul the purchase contract. Bolser was the first turn-key in Woodbury county, and the first man to put the jail to practical use. The contract was afterwards annuled, and in order that no trace or evidence of it should appear upon record, erasures were made, and some pages torn out, which gave the records

a very unsatisfactory appearance; no warrants had been issued on the purchase, as the county seal had very mysteriously disappeared. It was afterwards ascertained that F. M. Hubble, a young man employed in the treasurer's and recorder's office, had purloined the seal, and acted in the capacity of "keeper of the seal." In order to keep it secure, and prevent the manufacturing of warrants, he deposited it in the manure near the livery stable of J. C. Furber & Co.; it was afterwards resurrected and returned to the judge. Mr. Cassady then brought suit against the county for breach of contract, laying a heavy damage, which, after a hot contest by able counsel, he failed to sustain his case. He afterwards rented the hall to the county for a court room, and during the war it was used for hospital and commissary purposes.

In the spring of 1858, Isaac Pendleton, Patrick Robb, with two or three others, all graduates I believe, of Oxford college, started west to seek homes, where the field of operation was equal to their ambition, and where the prospects in the golden future would call out their best efforts and fully develop their abilities. They brought up at Sioux City, with the determination of making that point their home. Being short of means, they hired a small room on Douglas street, where they kept bachelor's hall. Pendleton and Robb had embarked in the profession of law, and soon swung out their shingles, and offered their services to litigants. Pendleton was, in politics, a radical, and Robb a democrat. They, as speakers, were both fluent and eloquent, evincing much ability as orators. The year following their settlement at Sioux City, they were nominated by their respective political parties, as candidates for the legislature; the canvass was warm and close. The Sioux City *Register*, a democratic journal, edited and published by F. M. Zebaugh, used its influence for Robb, and was unsparing in its efforts to defeat Pendleton; it commented much on the personal appearance of Pendleton, who was somewhat eccentric. He usually wore a plug hat, a forked blue coat adorned with brass buttons, a huge pair of boots the tops of which enveloped the lower extremities of his pants; he was poor, but

honorable and gentlemanly and always worked with a will to win. During the canvass, his blue coat rendered him as conspicuous and notorious as Horace Greely's white coat did him in early life. "Pen," as he was familiarly called, used to enjoy the "blue coat persecution," by his political enemies, and would laugh heartily over it, and say that he found out west much depended on the style of ones hat and the cut and color of his coat, even in politics. We do not mention this as any discredit, but to remind the reader that we are not to always judge a man by his outward appearance. "Pen" made his mark, and was soon ranked among the ablest and most prominent speakers and orators of the state. The election over, and Robb was elected by a meager majority — from six, to twelve. Mr. Robb was afterwards (in 1860 or 61), nominated by his party, as a candidate for register of state land office — but defeated. Pendleton, was elected judge of the judicial district in which he resided, which position he filled commendably to himself, and to the entire satisfaction of the public, displaying more legal ability than had been accredited to him.

About the middle of March, 1860, J. L. Swiggett commenced the publication of "*The Sioux City Times*," a republican paper, the first political paper of the kind published in Woodbury county. Pendleton mounted the tripod as editor, and wielded the pen with much ability. It was run for about nine months, and through the Lincoln campaign, at which the county election for the first time gave a republican majority. *The Times*, it was claimed, aided very materially in bringing about the change. When the "*Times*" was numbered among the things that were, Pendleton found himself minus about two hundred dollars, and Swiggett plus from two to three hundred more than when he commenced.

During the years 1858, 1859 and 1860, the Sauntsee Sioux Indians became very troublesome to the settlers of northwestern Iowa. They made frequent raids on the settlers, stealing their most valuable stock, and not unfrequently murdering some of the unoffending citizens. So frequent and alarming were those depredations, that in the spring of 1861, it was

thought necessary to use military force to awe the savages into subjection. Accordingly, a company of "home guards" was formed, out of the citizens of Sioux City and vicinity. Gen. Wm. Tripp, who had rendered his country bloodless service in the state of Maine, as a militia officer, was chosen captain, Dr. W. R. Smith, first lieutenant, A. J. Millard, second lieutenant, G. W. Chamberlin, orderly sargeant, J. Hipkins, second sargeant, together with the other necessary non-commissioned officers whose names are now not remembered; all classes and professions were represented that lived in the county. The withdrawal of the troops from the garrisons in the upper country about this time seemed to give the foe additional courage to augment their hostilities; rumors of depredations began to multiply along the valleys of the Little Sioux, and Floyd rivers. Governor Kirkwood, having been apprised of the increasing hostilities of the savages, and fearing for the safety of his frontier borders, ordered out the "home guards" into active service, for the purpose of giving these vile miscreants of the forest a severe castigation, and learn them by sad experience not to trample upon the powers that be. His excellency designated our company (I say our company, as I had the distinguished honor of holding the position of high private in it), as company A, and assigned it to the first regiment of state troops. He changed the name, however, from "home guards" to "frontier guards." The state troops were placed under the command of Caleb Baldwin, of Council Bluffs, who acted as the governor's aid. His corporeal being too much of the oleaginous character to race Indians of the western prairies, his excellency no doubt bethought himself, that a "lean man for a long race," and superseded Baldwin, by Hon. A. W. Hubbard, of Sioux City. The guards, soon after their organization, were ordered out on the "war-path." On receipt of the order, Capt. Tripp was absent, and the command devolved on Dr. Smith, first lieutenant, the great "medicine man," who was soon seen mounted on his war-steed, at the head of fifteen or twenty of his braves, who were panting for the blood of their enemies. We well remember our reflections upon our

good fortune, that we were not among the first to be ordered out to be welcomed by the "Lo" family with bloody hands and inhospitable graves. Like Henry Ward Beecher, during the great rebellion, who said it was necessary for some to go to fight "rebs," and some to stay at home and take care of the women and children, and for his part he would choose the latter, and we were left at home to protect the ladies.

This grand cavalcade of braves took up their line of march for the tented field of the Little Sioux valley, and after four or five days toilsome marching, and strategic movements, to intercept some of the Lo family, they returned in good martial order with the great "medicine chief" at their head, covered with glory, and their scalps in good state of preservation.

They had hardly finished recounting the deeds and exploits of a bloodless campaign, when they were again startled by the tocsin of war again sounding in the valley of the Little Sioux, and the cry of the settlers that, "Indians are upon us; come over and help us." The response was echoed back in *good military style*, "we will come." Our brave captain had now returned to fight, bleed, and die with his brave "countrymen and gentlemen soldiers," as he delighted to call us. We were soon on our prancing war steeds, and making rapid strides in the direction of the bloody foe. Arriving in the Little Sioux valley, our captain — in order to give ample room and opportunity for his brave soldiers to make a full display of their courage — divided them out in small squads in the different settlements along the river. Sergeant Stevens was stationed at the house of Morris Kelloggs, at Correctionville, and had under his command, N. Pratt, Adam Falk, Wm. Roberts, and Isaac Pendleton, editor of the *Sioux City Times*, who had exchanged the quill and scissors for the musket and scalping-knife. At night the sergeant quartered his braves in the house, removing some of the chinking from between the logs, in order that they might discover through the orifice any approaching enemy. Pratt being an elderly man was permitted to retire to bed up stairs.

A guard was posted,—it was a bright moonlight night,—Roberts was on guard; about two o'clock in the morning when looking through a crack in the wall toward the stable which stood a few rods from the house, he discovered a fine specimen of the Lo family stealthily approaching the house. He moved very cautiously, making a few steps softly, and then stopping to listen. After he had came up between the house and stable, he halted for a few moments, and hearing no alarm he returned to the corn field just in the rear of the stable, when the guard quietly awoke the sargeant with the startling intelligence that "the Indians are upon us," who in turn aroused the remainder of his command, who were luxuriating in the arms of Morpheus. Now was a test of pluck for the first time, but they faltered not, and came to the scratch as come brave men. They were placed in position around the room; Pratt at the window up stairs, Roberts at the door opening toward the stable. The door was set ajar so that full range of the enemy could be had. Pendleton took his position a little back of Roberts, and in range of the opening. No sooner were they placed in position when four of the enemy approached the stable door, which was in range of the deadly missiles in the hands of our soldiers, when they tried to open the door, evidently, for the purpose of stealing the horses within; finding it chained and locked they produced a file and commenced filing on the chain, when Kellogg said in an excited manner, "I see an Indian." No order had yet been given to fire, but on this remark from Kellogg, Roberts fired, the others following. The Indians immediately returned the fire twice in rapid succession; one was bullets and the other buck-shot and slugs. One buck-shot, or slug, took effect in Pendleton's head, striking him in the forehead to the left and ranging around the skull to the back part of the head and one lodging in his cartridge box. Roberts was also wounded, a ball striking him in the left side, and ranging around on a rib, fracturing it considerably. The Indians made good their escape, notwithstanding, hotly pursued by our soldiers.

Mr. Pratt had fine range at the enemy from the window where he stood, and brought his yeager to bear upon them, when to his surprise it failed to do its deadly work; again and again he snapped, but no response from the powder within, when after the enemy had fled, and the excitement died away, he proceeded to make an examination of his old yeager, and found that he had omitted putting a cap on it; this created much amusement for the balance of the company. The next day the wounded were removed to Sioux City and placed in charge of Dr. A. M. Hunt, the surgeon of the company.

The news of this little engagement ran through the border counties like fire in stubble,—the whole country was in a state of excitement. The following appeared in the *Crawford Recorder*, in Crawford county, which we subjoin:

" Full Particulars of the Indian Troubles! Two Men Dangerously Wounded! Sixteen Horses Stolen!

"The rumor of last week, that the Indians had made their appearance from thirty to fifty miles northwest of us, along the Maple, Little Sioux, and Floyd, is confirmed, with full particulars. The first of April, ten horses were stolen at Smithland, and five of them recovered. The last of April, there were two stolen at Mapleton,—not recovered. The first of June, five were stolen on the Floyd,—not recovered. The middle of June, two were stolen at Correctionville, and two at Ida Grove the same night,—not recovered; making sixteen horses in all, that have been driven off by Indians, or white animals in indian disguise, and not recovered. This last depredation resulted in seriously wounding two of the soldiers ordered out from Sioux City by Judge Hubbard, one of them it is feared fatally. As one of the wounded is no less than our friend Isaac Pendleton, the able editor of the *Sioux City Times*, a lawyer, orator, and gentleman, of whom his county and, we trust, the state may yet be proud; a more detailed account may be of interest.

"The Indians had divided off in squads at different points, where they wished to make their depredations, — at Ida Grove, Correctionville, and points in those vicinities. Committing their plunder at night, they would be out of ordinary reach in the morning. At one point between Smithland and Correctionville, four Indians with cattle, were surrounded by six men on horses, and were about being taken, when they escaped upon the opposite side of the river, and then fired upon their pursuers, killing instantly a horse under the rider, and thus escaped."

Judge Hubbard, of Sioux City, has been authorized by the governor, to organize a company of infantry and one of cavalry, for such occasions. The Judge has ordered the companies to hold themselves in readiness for action at a moment's warning. Indian troubles thus commenced, it is hoped, will soon be terminated. At the same time, prudence would seem to dictate the immediate organization of HOME GUARDS in each county; and we have no doubt but that the citizens of Crawford will be found at their post, with such arms as they may have; and after the FOURTH, be ready as minute men in all parts of the county, to give warning of the approach of red men, and to rush with justice in their hands.

[TO BE CONTINUED]

A POLITICIAN OF THE PRIMARY DAYS.

BY HAWKINS TAYLOR.

Some of the early settler and active politicians of the early days of Iowa should be recorded. Amongst the number is S. C. Hastings, now one of the *solid men* of California. Hastings came from the central part of New York to Iowa as early as 1836, and settled in Buffalo, then in Dubuque county

where he remained until 1838, when he went to Bloomington now Muscatine. Hastings was peculiar in all things; he was very tall and as straight as a bean-pole, had long black hair, dark complexion, expressionless countenance, was cool and deliberate in all things; a good lawyer, calculated to win, for he had plenty of brains without conscience, and was a good whisky drinker, and remarkably plausible in all things. Governor Hempstead during the first Iowa legislature (then a councilman from Dubuque, and Hastings a member of the house from Muscatine), took great delight in telling about his first meeting with Hastings; it was some two years previous. Two horse thieves had been caught in the act of stealing two horses in Dubuque county; they were put in jail, but saw no lawyer until the meeting of court, when they sent for Hempstead. When Hempstead saw them they told him that they had a lawyer that they had expected before that time, but as he had not got there, they feared that he was sick and could not come; they asked Hempstead to keep off the trial until they could hear from their lawyer.

The next morning soon after the court opened a tall dark visaged suspicious looking character entered the court room and looked around with a searching scrutiny, until he appeared to understand the situation, when he asked for Hempstead, who being pointed out, he approached and announced his name as Hastings, the attorney for the two persons held as horse-thieves. Hempstead introduced him to the sheriff when he went and saw his two clients. The next morning the two prisoners were brought into court and pleaded not guilty to the charge of horse-stealing, and swore that they could not safely proceed to trial for the lack of a material witness. The case was continued. Hastings brought forward a man who swore that he was free from all just debts and claims against him and worth the sum required as bail. Hastings, the bail, and the two horse thieves left on the same steamboat, and neither the horse thieves, bail, or attorney had been heard of in Dubuque thereafter, until he met Hastings as a member of the legislature.

The first time that I met Hastings was in November, 1837, as a brother delegate to the territorial convention that met in Burlington that time to memorialize Congress for a separate territorial government, pre-emption laws, boundary question, etc., etc. We both put up at Mrs. Parrott's and were put in a filled room of some half dozen beds, and two to a bed, and some times more; for if we got up to go down for that which was common through the night, some one else was very sure to take his place before he got back. Hastings had the chills and made several trips that night for medicine; chills were one of the pleasures of Muscatine at that day, but he did not appear to mind them much; he said by filling in a yard or two of red eye that he could manage the chills easily, in fact that they were rather a pleasure, but it was hell in the fever. The next year he turned up as a member of the legislature from Muscatine county. Gov. Lucas had settled in, and was very popular in Muscatine, and his friend Frieron, a good man, was the other member from that county; Hastings was an active member during the session, at first the earnest friend of the governor in his fight with the legislature and then a most bitter enemy. During the session of the legislature Hastings had several hundred dollars in counterfeit money; he was the acknowledged employed attorney for the numerous bands of thieves and counterfeiters that at that day infested the upper Mississippi, and that he might not himself be cheated, and also know whom he was to defend, a bill of each new counterfeit issued was sent to him; he did not deal in the article, at least he said so, he only defended those that did. There were many curious incidents of Hastings in that legislature, but they will be more appropriate in an article on that session. At the end of the session the people of Muscatine county appeared to be unanimous in denouncing him for his opposition to Governor Lucas, and in their praise of Frieron. Hastings swore that he would never be a candidate again, but as the election approached in the fall, and candidates for the legislature began to announce themselves, Frieron was the universal favorite, Hastings still pretending that he would not be a candidate; but he was active in get-

ting other candidates out in all parts of the county, assuring each one of his support. There was no party nomination then. Amongst the candidates was Tim Clark, a citizen of Moscow. Tim was a whig, and a good fellow. He says before the election, Hastings announced himself as a candidate, and sent runners to each neighborhood in the county to work for him. He had previously arranged with Clark — privately and confidentially — to unite with him in mutual support. The result was, that Hastings and Clark were both elected, and Frierson was defeated.

Hastings was afterwards elected to congress for one session. Up to that date it was the custom to give members of congress such stationery as they needed, leaving the amount to their own honor. After that session, however, the law was changed, giving them a certain sum, that they could either take in stationery or money. It is said that the amount *needed* by Hastings that winter induced the passage of that law. That is the only good law of congress that can be placed to his credit, I believe. After that he was for a short time supreme court judge. For many years Governor Lowe and Hastings lived in Muscatine. Lowe ranked as the first lawyer in that part of the state at that time. Probably no two men were more unlike than Lowe and Hastings,—the one a temperance whig, the other a whisky democrat — the one, honor itself — the other,—well, I will not say in this article.

At that time, Joe Leverege was the captain of the mass of Hastings's clients. Joe lived out somewhere in my friend Tuthill's county, and the grand jury charged him with taking a horse that did not belong to him, and the chances were that the fact would be proven on him. Joe concluded that it would not do to risk Hastings — he needed a better lawyer, so he employed Governor Lowe, and Lowe objected to having Hastings associated with him. Lowe examined the indictment and said that it was not good. But Joe was uneasy,—he was like the Irishman that feared justice,—and each day of court he would go to Lowe and suggest that it might be best

to employ Hastings, but Lowe would not agree to it. Finally, Lowe got so vexed that he told Joe that he would give up the case, and that he might employ Hastings. "Oh, no! oh, no!" says Joe, "I can't do without you," and, lowering his voice to a whisper, he said, "It may become necessary to steal the indictment." Lowe told him that if that was the object, he must employ Hastings or some one else than himself. Joe got off without the indictment being stolen.

Before Hastings was elected to congress he joined the Methodist church, but he left his robes in Iowa. Since in California he was for a short time on the supreme bench. He is now a devoted Catholic (at least, he says so), has made a large fortune, and is, of course, respectable, as all men of wealth must be. Hastings only lacked honesty, principle, and a conscience to have made him one of the first men of the state. I do not suppose that his wealth in California has paid him for his loss of position in Iowa, even in his own selfishness and selfish nature.

EDITORIAL NOTES.

— LET every subscriber in arrears to the ANNALS, to whom these presents shall come, immediately remit the amount of his indebtedness to the Corresponding Secretary of the Historical Society, at Iowa City. The three numbers for this year previously issued have paid their own way, and it is very desirable, for many reasons, that the fourth should do likewise.

— INTO what remote recesses and into what diversified departments of business do not the influences of the Chicago fire penetrate? That levianthan calamity is our excuse for tardiness, and for sending this number forth unembellished with a portrait. The destruction of the Chicago printing establishments threw extra work upon our publishers, and the early October heats at Chicago scotched the plate of John Scott.

— A TITLE PAGE and index for volumes VIII. and IX. are printed with this issue, to enable those who have preserved their numbers for the past two years to commit them to the binder's hands, to be fashioned into more durable, comely, and convenient form.

— WE hope to be able to give our readers, in the next number, a portrait and biographical sketch of the Hon. Philip Viele, of Fort Madison, one of the oldest of old settlers, and one of the most honored of Lee county's citizens.

— OUR generous contributors, as our overflowing pages well attest, have obviated the necessity of dry and lengthy "Editorial Notes." May it be ever thus.

— BEFORE we let the curtain drop, let us suggest to our friends that if each paying subscriber will secure another, and see that both dollars are sent, the ANNALS OF IOWA will stand not only a permanent but an independent basis.

Another word in your ear. Let every friend of the Historical Society request the person or persons by whom he is to be represented in the legislature this winter to inform him or themselves as to the work done in the past and to be done in the future by the Society. So that when a just appropriation is asked for, members may be enabled to vote intelligently.

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